

1 **JOINTLY SUBMITTED**

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6 UNITED STATES DISTRICT COURT
7 DISTRICT OF NEVADA
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9 UNIVERSAL ENTERTAINMENT
10 CORPORATION,

11 Plaintiff,

12 vs.

13 ARUZE GAMING AMERICA, INC., AND
14 KAZUO OKADA,

Defendants.

**JOINT CLAIM CONSTRUCTION
AND PREHEARING STATEMENT
UNDER LOCAL PATENT RULE 1-15**

Case No. 2:18-cv-00585-RFB-GWF

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16 **JOINT CLAIM CONSTRUCTION**
17 **AND PREHEARING STATEMENT UNDER LOCAL PATENT RULE 1-15**
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Pursuant to Local Patent Rule 1-15 and the Joint Discovery Plan and Scheduling Order entered by the Court [ECF No. 26] and Order Granting Stipulation re Discovery to Extend Case Schedule [ECF No. 80], Plaintiff and Defendant submit the following Joint Claim Construction and Prehearing Statement.

Pursuant to Local Patent Rule 1-15 and the Court's Scheduling Order [ECF No. 80], Universal Entertainment Corporation ("UEC" or "Plaintiff"), by and through its attorneys of record, the law firm of Polsinelli, and Defendant Aruze Gaming America, Inc. ("AGA"), by and through their attorneys of record, the law firms of Holland & Hart LLP and Klarquist Sparkman LLP, hereby submit the following joint claim construction and prehearing statement for certain terms in U.S. Pat. Nos. RE46,472 ("the '472 Patent"), RE46,473 ("the '473 Patent"), 8,088,013 ("the '013 Patent") and 8,246,047 ("the '047 Patent") (collectively the "UEC Patents" or "Patents-in-Suit"), as well as the parties' respective evidence in support of those constructions.

A. Agreed Terms/Phrases

The parties agree that none of the asserted claims contain elements recited as a "means-" or "step-plus-function," to be governed by 35 U.S.C. § 112 ¶ 6.

The parties further agree on a construction for the following claim terms contended to require construction:

'472 and '473 Patents

- "operation table" ('472 & '473 Patents, all claims)
 - Construction: a table allowing operation of the slot machine.
- "perimeter" ('472 Patent, claims 1-21; '473 Patent, claims 14-29)
 - Construction: plain and ordinary meaning.
- "periphery" ('473 Patent, claims 1-22)
 - Construction: plain and ordinary meaning: perimeter.

'013 Patent

- "first space" (claim 1)
 - Construction: plain and ordinary meaning: three dimensional space.
- "front portion of the second box" (claims 1, 12)

- Construction: plain and ordinary meaning: front wall of the second box.
- “exhausting portion” (claim 1)
 - Construction: plain and ordinary meaning: an opening.

B. Disputed Terms/Phrases

The parties dispute the construction of the following terms/phrases. The tables below include each party’s proposed construction of each disputed term/phrase, together with an identification of references from the specification and/or prosecution history that support the respective proposed construction, and an identification of extrinsic evidence known to the party on which it intends to rely either to support its proposed construction or to oppose the other party’s proposed construction, including dictionary definitions, and prior art. Each party reserves the right to rely on either parties’ cited evidence to support its proposed constructions. The parties acknowledge that the ‘472 Patent and the ‘473 Patent include substantially the same disclosure within the specifications of these patents and a citation to the specification of one patent is sufficient as to the specification of either patent, notwithstanding any difference in line numbers between the patents. The table immediately below presents disputed claim terms and phrases along with each party’s proposed constructions and evidence. The parties agree that although the terms below are presented in isolation, claim terms and phrases must be construed in view of the totality of the language of the claim in which the terms and phrases appear. A further table below in Section E provides the context of the claims in whole with those terms and phrases to be construed presented in boldface print. In addition, the parties intend to present a technology tutorial concerning the UEC Patents during the Claim Construction hearing.

Additional UEC Statement:

Pursuant to LPR 1-14, UEC previously explained that it may submit supporting Declarations of Mark C. Nicely and Nick Farley at the time it files its claim construction briefs. As set forth in the UEC LPR 1-14 statement, Mr. Nicely and Mr. Farley will confirm that the terms should be construed as proposed by UEC, and would support their opinions based on the claims, the written description, and the prosecution history of the Asserted Patents, upon the level of skill of one of ordinary skill in the art, and upon what was common knowledge at the time of the invention. Mr. Nicely and Mr. Farley may also rely upon some or all of the extrinsic evidence identified by Defendants in their

Claim Constructions and citations to evidence. A copy of the curriculum vitae, for each of Mr. Nicely and Mr. Farley respectively, were previously provided to Defendants.

Further, UEC may include in the supporting Declarations of Mr. Nicely and Mr. Farley at the time it files its claim construction briefs, further opinions to rebut Defendants' Claim Constructions and patentable weight conclusions. Mr. Nicely and Mr. Farley would support their opinions based on the claims, the written description, and the prosecution history of the Asserted Patents, upon the level of skill of one of ordinary skill in the art, and upon what was common knowledge at the time of the invention. Additionally, Mr. Nicely and Mr. Farley may also rely upon some or all of the extrinsic evidence identified by Defendants in their Claim Constructions and citations to evidence.

Additional AGA Statement:

As to the use of experts, AGA disagrees with UEC's position that it may rely on the opinions of expert, when such opinions have not been disclosed in the extrinsic evidence of LPR 1-14, except to the extent the opinion is offered as rebuttal testimony. AGA's disclosed expert, Mr. Dwight Crevelt, would opine as to the level of ordinary skill in the art, as well as in rebuttal to UEC's arguments and experts. To the extent that the Court allows UEC to supplement the extrinsic evidence, AGA reserves the right to use Mr. Crevelt's testimony in support of its Claim Constructions.

1. '472 and '473 Patents

#	'472/'473 Term/Phrase	UEC Proposed Construction & Evidence	AGA Proposed Construction & Evidence
1.	"asymmetrically configured" '472:(claims 1-21) '473: (claims 1-9, 14-29)	Proposed Construction: Plain and ordinary meaning. <u>Intrinsic Evidence:</u> ['472 patent at 7: 19-27] – A cutout 21, whose periphery is a concave recessed toward the cabinet 2, is provided on the left side (a side closer to the hinge 30) of the front end portion of the operation table 5. A wrist rest 36 for supporting a wrist of the player 28 is provided on the right side of the operation table 5. The wrist rest 36 projects from the front end portion of the operation table 5 toward the player 28. The front end of the wrist rest 36 has a shape of a gentle arc swelling outwardly toward the player 28.	Proposed Construction: Plain and ordinary meaning, <i>i.e.</i> , not made up of exactly similar parts facing each other or around an axis or plane <u>Extrinsic Evidence:</u> Asymmetrical: "not symmetrical" (Merriam-Webster's Concise Dictionary Large Print Edition, 2006, p. 41, AGA00020452). "lacking symmetry" (Pocket Oxford English Dictionary, 2005, p. 48, AGA00020502). Asymmetry: "lack of symmetry." (Webster's New World Portable Large Print Dictionary,

#	'472/'473 Term/Phrase	UEC Proposed Construction & Evidence	AGA Proposed Construction & Evidence
		<p>[‘472 Prosecution History at p. 183-184 – Response to 03/15/2010 FOA at p. 5-6] – Contour of the support portion is asymmetrically configured.</p> <p>[‘472 Prosecution History at p. 288 – Response to 08/31/2009 NFOA at p. 5] – Asymmetrical surface</p> <p>[472 patent at FIGs. 2 and 3] -</p> <p>Extrinsic Evidence: [Merriam Webster Collegiate Dictionary (10th ed. 1997)] - Asymmetrical: “not symmetrical”</p> <p>Configure: “to set up for operation esp. in a particular way”</p> <p>Perimeter: “1 a: the boundary of a closed plane figure b: the length of a perimeter 2: a line or strip bounding or protecting an area 3: outer limits”</p> <p>[The American Heritage Dictionary (4th ed. 2006)] - Asymmetrical: “Having no balance or symmetry”</p> <p>Configure: “To design, arrange, setup, or shape with a view to specific applications or uses”</p>	<p>2007, p. 48, AGA00020574).</p> <p>“lack of symmetry . . . condition of not being superimposable on a mirror image” (Webster’s Dictionary & Thesaurus for Home, School and Office, 2005, p. 24, AGA00020553).</p> <p>Symmetry: “the state in which one part exactly corresponds to another in size, shape and position, . . . symmetrical, symmetric, having symmetry,” (Webster’s Dictionary & Thesaurus for Home, School and Office, 2005, p. 384, AGA00020569).</p> <p>“balance of opposite parts in position or size.” (Webster’s New World Portable Large Print Dictionary, 2007, p. 793, AGA00020588).</p> <p>Symmetrical: “made up of exactly similar parts facing each other or around an axis; showing symmetry” (Pocket Oxford English Dictionary, 2005, p. 925, AGA00020523).</p> <p>“Possessing symmetry; having similar or corresponding parts repeated on each side of a contained plane or around an axis.” (Shorter Oxford English Dictionary, 6th Edition, 2007, p. 3146, AGA00020549).</p>
2.	<p>“recess”</p> <p>‘472: (claims 1-21)</p> <p>‘473: (claims 14-29)</p>	<p>Proposed Construction:</p> <p>Plain and ordinary meaning.</p> <p>Intrinsic Evidence: [‘472 patent, Abstract] – A gaming machine is provided, which includes a cabinet having a front opening, a front door, a display device, an input device and a controller. The front door is pivotably coupled to the cabinet via a hinge that is attached to a lateral end portion at a front face of the cabinet, and opens and closes the front opening. The display device is placed in the front face of the cabinet. The input device allows a player to perform operation related to the game. The front door has an operation table that projects forward from the cabinet. The input device is placed on the operation table. A cutout is arranged such that a side portion of the operation table closer to the hinge has a recess.</p>	<p>Proposed Construction:</p> <p>“indentation formed by cutting out.”</p> <p>Intrinsic Evidence: See Term, No. 3.</p> <p>Extrinsic Evidence: Recess: “an indentation in a line or surface” (The Merriam-Webster Dictionary, 2005, p. 415, AGA00020484).</p> <p>“indentation in a line or surface” (Merriam-Webster’s Concise Dictionary Large Print Edition, 2006, p. 537, AGA00020468).</p> <p>“any small depression or indentation” (Shorter Oxford English Dictionary, 6th Edition, 2007, p. 2486, AGA00020544).</p> <p>“a small space set back in a wall or set into a surface” (Pocket Oxford English</p>

#	'472/'473 Term/Phrase	UEC Proposed Construction & Evidence	AGA Proposed Construction & Evidence
		<p data-bbox="488 289 786 317">['472 patent at 1:56-2:3] –</p> <p data-bbox="488 321 959 982">In an aspect of the present invention, a gaming machine is provided, which includes a cabinet having a front opening, a front door, a display device, an input device and a controller. The front door is pivotably coupled to the cabinet via a hinge that is attached to a lateral end portion at a front face of the cabinet, and opens and closes the front opening. The display device is placed in the front face of the cabinet and displays information related to a game. The input device allows a player to perform operation related to the game. The controller performs processing related to execution of the game in response to an input to the input device. The front door has an operation table that projects forward from the cabinet. The input device is placed at the operation table. A cutout is arranged such that a side portion of the operation table closer to the hinge has a recess.</p> <p data-bbox="488 1020 786 1047">['473 patent at 2: 13-16] –</p> <p data-bbox="488 1052 959 1199">Since the cutout is arranged to be on the closer side with respect to the hinge, the cutout comes close to an operation table of an adjacent gaming machine when the front door is in an open position.</p> <p data-bbox="488 1236 786 1264">['473 patent at 2: 23-24] –</p> <p data-bbox="488 1268 959 1381">In another aspect of the present invention, a gaming machine is provided, in which the cutout is configured such that the operation table becomes hollow toward the cabinet.</p> <p data-bbox="488 1419 786 1446">['472 patent at 2:37-58] –</p> <p data-bbox="488 1451 959 1982">In still another aspect of the present invention, a gaming machine is provided, which includes a cabinet having a front opening, a front door, a display device, a bet button, a start button, an input device, a controller. The front door is pivotably coupled to the cabinet via a hinge that is attached to a lateral end portion at a front face of the cabinet. The front door opens and closes the front opening. The display device is placed in the front face of the cabinet and displays information related to a game. The bet button allows a player to bet an arbitrary amount of bets. The start button allows a game to start in response to betting through the bet button. The input device has at least the bet button and the start button. The controller performs</p>	<p data-bbox="980 260 1438 287">Dictionary, 2005, p. 754, AGA00020519).</p>

#	'472/'473 Term/Phrase	UEC Proposed Construction & Evidence	AGA Proposed Construction & Evidence
		<p>processing related to execution of the game in response to an input to the input device. The front door has an operation table that projects forward from the cabinet. The input device is placed at the operation table. A cutout is arranged such that a first side portion of the operation table closer to the hinge has a recess. A rest portion for allowing a player to rest a wrist is provided at a second side portion opposite to the first side portion. The start button is arranged so as to be on a closer side with respect to the rest portion on the operation table.</p> <p>['472 patent at 7: 19-32] – A cutout 21, whose periphery is a concave recessed toward the cabinet 2, is provided on the left side (a side closer to the hinge 30) of the front end portion of the operation table 5. A wrist rest 36 for supporting a wrist of the player 28 is provided on the right side of the operation table 5. The wrist rest 36 projects from the front end portion of the operation table 5 toward the player 28. The front end of the wrist rest 36 has a shape of a gentle arc swelling outwardly toward the player 28. Since the spin button 14, which is frequently used by the player 28 to start each game, is provided in a portion of the operation table 5 closer to the wrist rest 36, as shown in FIG. 6, the gaming machine 1 can alleviate fatigue experienced by the player 28, allowing her to play a game for a longer time.</p> <p>['473 patent at 7: 35-41] – However, a gaming machine 1 designed for left-handed players preferably has a wrist rest 36 on the left portion of an operation table 5. In this case, a cutout 21 is provided on the right portion of the operation table 5, and a front door 22 is pivotally attached to a cabinet 2 via a hinge 30 disposed on the right portion of the cabinet 2.</p> <p>['472 patent at 9: 36-49] – In this case, the cutout 21a on the left of the operation table 5a of the first gaming machine 1a is likely to collide with the right end of a wrist rest 36b on the right of the operation table 5b of the second gaming machine 1b. Since a curved recess provided by the cutout 21a avoids interference with the wrist rest 36b, and the cutout 21a of the first gaming machine 1a is spaced a given distance from the wrist</p>	

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		<p>rest 36b of the adjacent second gaming machine 1b, the front door 22a of the first gaming machine 1a can be opened enough to perform easy maintenance inside the cabinet. Furthermore, since this can save spacing between the adjacent gaming machines 1a and 1b, it is possible to increase the number of gaming machines 1 that can be installed in a given area available for installation.</p> <p>[472 patent at FIGs. 2 and 3] –</p> <p>[JP Original 2007-160632 at [0015]] – ...a cutaway part 21 is provided on the hinge 30 side of the end edge of the front side of the operation table 5. Therefore, even when the front surface door 22 is opened in a condition where a plurality of gaming machines 1 are adjacently arranged, the operation table 5a provided on one gaming machine 1a will not come into contact with the operation table 5b of another adjacent gaming machine 1b, and therefore the front surface door can be sufficiently opened and maintenance inside the cabinet can easily be performed....</p> <p>[JP2007-160632 at paragraph [0041]] – A cut away part 21 formed as a curved recess in the side of the cabinet 2 was provided on the left side where it the hinge 30 is provided on the end edge of the front side of the operation table 5, and a placing part 36 where a hand of a player 28 can be placed is provided on the right side of the operation table where the hinge 30 is not provided. The placing part 36 is formed so as two protrude toward the player 28 side from the front end edge of the operation table 5, and the front end edge is formed with a slight arc shape that protrudes toward the side of the player.</p> <p><u>Extrinsic Evidence:</u> [Merriam Webster Collegiate Dictionary (10th ed. 1997)] - Recess: “indentation”</p> <p>[The American Heritage Dictionary (4th ed. 2006)] - Recess: “An indentation or hollow”</p>	
3.	“cutout” '473: (claims 1-13)	Proposed Construction: Plain and ordinary meaning.	Proposed Construction: Plain and ordinary meaning <i>i.e.</i> , “a space where something has been cut out” and “a

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		<p><u>Intrinsic Evidence:</u> See Term # 2</p> <p><u>Extrinsic Evidence:</u> See Term # 2</p>	<p>part that has been cut out.”</p> <p><u>Intrinsic Evidence:</u> “A cutout is arranged such that a side portion of the operation table closer to the hinge has a recess.” ('472, 2:1-3. See also, Abstract, Summary of the Invention (multiple instances of “cutout”), 2:53-54, 3:33-35)</p> <p>“A cutout 21, whose periphery is a concave recessed toward the cabinet 2, is provided on the left side (a side closer to the hinge 30) of the front end portion of the operation table 5.” ('472, 7:19-22)</p> <p>“In this case [machine for right-handed players], a cutout 21 is provided on the right portion of the operation table 5, and a front door 22 is pivotally attached to a cabinet 2 via a hinge 30 disposed on the right portion of the cabinet 2.” ('472, 7:38-41)</p> <p>“The description is focused on a relation between a cutout 21a of the first gaming machine 1a and an operation table 5b of the second gaming machine 1b, while a front door 22a of the first gaming machine 1a is an open position.” ('472, 9:23-27.)</p> <p>“In this case, the cutout 21a on the left of the operation table 5a of the first gaming machine 1a is likely to collide with the right end of a wrist rest 36b on the right of the operation table 5b of the second gaming machine 1b. Since a curved recess provided by the cutout 21a avoids interference with the wrist rest 36b, and the cutout 21a of the first gaming machine 1a is spaced a given distance from the wrist rest 36b of the adjacent second gaming machine 1b, the front door 22a of the first gaming machine 1a can be opened enough to perform easy maintenance inside the cabinet.” ('472, 9:36-45)</p> <p>“Applicant has further revised the language of previously patented claim 1 to substitute the term “cutout portion” with “recessed portion” so as to clarify that the operation table is not necessarily produced as a result of the specific act of cutting/cutting out, which may have been incorrectly inferred by the use of the phrase “cutout portion” in the original claims.” ('472 FH at AGA00001756)</p>

#	'472/'473 Term/Phrase	UEC Proposed Construction & Evidence	AGA Proposed Construction & Evidence
			<p>“With further specific regard to amended independent claim 6, such claim has been further amended to substitute "cutout" in favor of "first recessed side portion" and "second protruding portion" so as to clarify that the operation table is not necessarily produced as a result of the specific act of cutting/cutting out, which may have been incorrectly inferred by the use of the phrase "cutout." Applicant has further amended such claim to delete reference to the width of the "cutout." Applicant has further amended such claim for clarity. It is respectfully submitted that the amendments to remove the above-described limitations serves to broaden the claim and the scope of the patent.” ('472 FH at AGA00001756)</p> <p>“Finally, with further specific regard to amended independent claim 10, such claim has been further amended to substitute "cutout portion" and "protruding portion" in favor of "recess" and "protrusion" so as to clarify that the operation table is not necessarily produced as a result of the specific act of cutting/cutting out, which may have been incorrectly inferred by the use of the phrase "cutout portion.”” ('472 FH at AGA00001756)</p> <p>“Applicant has otherwise amended such claim to substitute "cutout portion" with "recess" to clarify that the operation table is not necessarily produced as a result of the specific act of cutting/cutting out.” ('472 FH at AGA00001758. <i>See also id.</i> at AGA00001758-1760)</p> <p><u>Extrinsic Evidence:</u> Cutout: “A space or outline where something has been cut out” (Shorter Oxford English Dictionary, 6th Edition, 2007, p. 590, AGA00020531). “a shape cutout of a board or paper” (Pocket Oxford English Dictionary, 2005, p. 217, AGA00020506).</p>
4.	“formed” '473: (claims 1-17)	<p>Proposed Construction:</p> <p>Plain and ordinary meaning</p> <p><u>Intrinsic Evidence:</u> <i>See</i> Term #1</p> <p>[‘472 patent at 3:33-35] –</p>	<p>Proposed Construction:</p> <p>“shaped by cutting out.”</p> <p><u>Extrinsic Evidence:</u> Formed: past tense of “form.”</p> <p>Form:</p>

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		<p>A cutout 21 is arranged to lie on a closer side of the front periphery of the operation table 5 with respect to the hinge 30.</p> <p>[‘472 patent at 3:60-62] - The cabinet 2 is formed in a rectangular parallelepiped having an opening 29 in a front face thereof. The front door 22 that closes the opening 29 is pivotally attached to the cabinet 2 by way of a hinge 30 provided on a left side end portion of the front face of the cabinet 2.</p> <p>[‘472 patent at 7: 19-22] – A cutout 21, whose periphery is a concave recessed toward the cabinet 2, is provided on the left side (a side closer to the hinge 30) of the front end portion of the operation table 5.</p> <p>[472 patent at FIGs. 2 and 3] -</p> <p><u>Extrinsic Evidence:</u> [Concise Oxford American Dictionary (2006)] - Periphery: the outer limits or edge of an area or object</p> <p>[Merriam Webster Collegiate Dictionary (10th ed. 1997)] - Toward: “in the direction of”</p> <p>[The American Heritage Dictionary (4th ed. 2006)] - Toward: “In the direction of.”</p>	<p>“give form or shape to” (Merriam-Webster’s Concise Dictionary Large Print Edition, 2006, p. 252, AGA00020459).</p> <p>“shape” (Webster’s Dictionary & Thesaurus for Home, School and Office, 2005, p. 149, AGA00020559).</p> <p>“bring together parts to create something” (Pocket Oxford English Dictionary, 2005, p. 354, AGA00020511).</p> <p>“to shape” (Webster’s New World Portable Large Print Dictionary, 2007, p. 311, AGA00020581).</p> <p>“to give form or shape to” (The Merriam-Webster Dictionary, 2005, p. 195, AGA00020480).</p> <p>See Term No. 3</p>
5.	“closer” ‘472: (claims 6-9, 18-21) ‘473: (claims 6-9)	<p>Proposed Construction:</p> <p>Plain and ordinary meaning.</p> <p><u>Intrinsic Evidence:</u></p> <p>[‘472 patent at 1:64-2:3] – The controller performs processing related to execution of the game in response to an input to the input device. The front door has an operation table that projects forward from the cabinet. The input device is placed at the operation table. A cutout is arranged such that a side portion of the operation table closer to the hinge has a recess.</p> <p>[‘472 patent at 2: 12-21] – Since the cutout is arranged to be on the</p>	<p>Proposed Construction:</p> <p>Plain and ordinary meaning, <i>i.e.</i>, “a comparative adjective form of “close,” such that something is closer to a point if it is nearer to the point than a specified reference” or “nearer than”</p> <p><u>Extrinsic Evidence:</u> Close: “near” (Merriam-Webster’s Concise Dictionary Large Print Edition, 2006, p. 118, AGA00020463).</p> <p>“near, in time or place” (Webster’s Dictionary & Thesaurus for Home, School and Office, 2005, p. 71, AGA00020555).</p> <p>“only a short distance away or apart in</p>

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		<p>closer side with respect to the hinge, the cutout comes close to an operation table of an adjacent gaming machine when the front door is in an open position. The gaming machine allows the operation table to be spaced a certain distance from the operation table of the adjacent gaming machine so as to avoid collision.</p> <p>['472 patent at 2: 59-61] – The gaming machine described above, which has the frequently used start button on the closer side with respect to the rest portion, allows the player to continue the game for a longer period of time by alleviating fatigue of the player.</p> <p>['472 patent at 2: 53-58] – A cutout is arranged such that a first side portion of the operation table closer to the hinge has a recess. A rest portion for allowing a player to rest a wrist is provided at a second side portion opposite to the first side portion. The start button is arranged so as to be on a closer side with respect to the rest portion on the operation table.</p> <p>['472 patent at 3: 33-35] – A cutout 21 is arranged to lie on a closer side of the front periphery of the operation table 5 with respect to the hinge 30.</p> <p>['472 patent at 7: 8-10] – The upper face of the operation table 5 is tilted so as to make a portion closer to a player 28 lower than that closer to the cabinet 2.</p> <p>['472 patent at 7: 19-27] – A cutout 21, whose periphery is a concave recessed toward the cabinet 2, is provided on the left side (a side closer to the hinge 30) of the front end portion of the operation table 5. A wrist rest 36 for supporting a wrist of the player 28 is provided on the right side of the operation table 5. The wrist rest 36 projects from the front end portion of the operation table 5 toward the player 28. The front end of the wrist rest 36 has a shape of a gentle arc swelling outwardly toward the player 28.</p> <p>['472 patent at 8: 63-66] – Since the speakers 20L and 20R are arranged to lie at the front face of the cabinet 2, they are allowed to be closer to the player 28 compared to when they are</p>	<p>space or time” (Pocket Oxford English Dictionary, 2005, p. 161, AGA00020503).</p> <p>“very near in position; in or nearly in contact” (Shorter Oxford English Dictionary, 6th Edition, 2007, p. 433, AGA00020529).</p> <p>“near together” (Webster’s New World Portable Large Print Dictionary, 2007, p. 152, AGA00020576).</p> <p>-er (suffix): “used to form the comparative degree of adjectives and adverbs of one or two syllables” (The Merriam-Webster Dictionary, 2005, p. 166, AGA00020479).</p> <p>“used to form the comparative degree form of adjectives and adverbs and esp. those of one or two syllables” (Merriam-Webster’s Concise Dictionary Large Print Edition, 2006, p. 215, AGA00020458).</p> <p>“forming the comparative of adjectives (as in bigger) and adverbs (as in faster)” (Pocket Oxford English Dictionary, 2005, p. 301, AGA00020509).</p> <p>“Forming compar. of adjectives and adverbs, now esp. of words of one syllable and occas. of two . . .” (Shorter Oxford English Dictionary, 6th Edition, 2007, p. 857, AGA00020535).</p>

#	'472/'473 Term/Phrase	UEC Proposed Construction & Evidence	AGA Proposed Construction & Evidence
		<p>disposed on the side faces of the cabinet 2.</p> <p>[472 patent at FIGs. 2 and 3] -</p> <p>[JP Original 2007-160632 at [0015]] - ...a cutaway part 21 is provided on the hinge 30 side of the end edge of the front side of the operation table 5. Therefore, even when the front surface door 22 is opened in a condition where a plurality of gaming machines 1 are adjacently arranged, the operation table 5a provided on one gaming machine 1a will not come into contact with the operation table 5b of another adjacent gaming machine 1b, and therefore the front surface door can be sufficiently opened and maintenance inside the cabinet can easily be performed..."</p> <p>[JP2007-160632 at paragraph [0041]] - A cut away part 21 formed as a curved recess in the side of the cabinet 2 was provided on the left side where it the hinge 30 is provided on the end edge of the front side of the operation table 5, and a placing part 36 where a hand of a player 28 can be placed is provided on the right side of the operation table where the hinge 30 is not provided. The placing part 36 is formed so as two protrude toward the player 28 side from the front end edge of the operation table 5, and the front end edge is formed with a slight arc shape that protrudes toward the side of the player.</p> <p>[JP2007-160632 at paragraph [0053]] - Therefore, the speakers 20L, 20R that are held by the speaker spaces 26L, 26R are provided on the front of the cabinet 2, and thus the position of the speakers 20L, 20R will be at a location that is closer to the player as compared to the case where the speakers 20L, 20R are provided to the side of the cabinet 2, and therefore the player can be stimulated by sound with an elevated feel.</p> <p>Furthermore, the position of the speakers is at a location closer to the player without causing the operation table 5 to protrude toward the front more than is necessary, and therefore the player can be stimulated by sound with an elevated feel. Furthermore, the speakers can be provided a location closer to the player without causing the operation table to protrude toward the front more than is necessary.</p>	

#	'472/'473 Term/Phrase	UEC Proposed Construction & Evidence	AGA Proposed Construction & Evidence
		<p><u>Extrinsic Evidence:</u> [Concise Oxford English Dictionary (2006)] – Close: “1 a short distance away or apart in space or time”</p>	
6.	“substantially” ‘472: (claims 3, 7, 8, 11, 12, 20) ‘473: (claims 3, 4, 7, 8, 11, 12, 14-29)	<p>Proposed Construction:</p> <p>Plain and ordinary meaning.</p> <p><u>Intrinsic Evidence:</u> [‘472 patent at 6: 49-52] – The coin tray 16 extends across substantially the entire width of the lower front door 33 and accumulates the coins discharged from the coin hopper installed inside the cabinet 2.</p> <p>[‘472 patent at 8: 21-24] – The size of the speaker space 26R provided in the exterior frame 19R is substantially the same as the size of the speaker 20R.</p> <p><u>Extrinsic Evidence:</u> [Merriam Webster Collegiate Dictionary (10th ed. 1997)] - Substantially: “being largely but not wholly that which is specified”</p>	<p>Proposed Construction:</p> <p>Plain and ordinary meaning, i.e., “in essence, in total effect, to all intents and purposes”</p> <p><u>Extrinsic Evidence:</u> Substantially: “In essentials, to all intents and purposes, in the main” (Shorter Oxford English Dictionary, 6th Edition, 2007, p. 3088, AGA00020548).</p> <p>“considerably” “for the most part, mainly” (Pocket Oxford English Dictionary, 2005, p. 911, AGA00020522).</p> <p>“in essence, in total effect, to all intents and purposes” (Webster’s Dictionary & Thesaurus for Home, School and Office, 2005, p. 377, AGA00020568).</p>
7.	“adjacent” ‘472: (claims 10-14, 17) ‘473: (claims 10-13)	<p>Proposed Construction:</p> <p>Plain and ordinary meaning.</p> <p><u>Intrinsic Evidence:</u> [‘472 patent at 2: 4-7] – The gaming machine described above that can allow the operation table to avoid collision with an operation table of an adjacent gaming machine while the front door is in an open position.</p> <p>[‘472 patent at 2: 17-19] – The gaming machine allows the operation table to be spaced a certain distance from the operation table of the adjacent gaming machine so as to avoid collision.</p> <p>[JP2007-160632 at paragraph [0009]] – Therefore, even when the front surface door of the gaming machine is open, the operation table of one gaming machine does not come into contact with the operation table of another adjacent gaming machine via the cutaway, and therefore the front surface door can be sufficiently opened and maintenance inside the cabinet</p>	<p>Proposed Construction:</p> <p>Plain and ordinary meaning, i.e., “near or next to.”</p> <p><u>Extrinsic Evidence:</u> Adjacent: “situated near or next” (The Merriam-Webster Dictionary, 2005, p. 7, AGA00020475).</p> <p>“situated near or next” (Merriam-Webster’s Concise Dictionary Large Print Edition, 2006, p. 9, AGA00020451).</p> <p>“Lying near (to), adjoining, contiguous (to)” (Shorter Oxford English Dictionary, 6th Edition, 2007, p. 28, AGA00020528).</p> <p>“near or next to something else” (Pocket Oxford English Dictionary, 2005, p. 10, AGA00020501).</p> <p>“near (to)” (Webster’s Dictionary & Thesaurus for Home, School and Office, 2005, p. 7, AGA00020475).</p>

#	'472/'473 Term/Phrase	UEC Proposed Construction & Evidence	AGA Proposed Construction & Evidence
		<p>can easily be performed.</p> <p><u>Extrinsic Evidence:</u> [Concise Oxford American Dictionary (2006)] – Adjacent: 1 next to or adjoining something else.</p>	<p>“near or next” (Webster’s New World Portable Large Print Dictionary, 2007, p. 10, AGA00020573).</p>
8.	<p>“proximate” ‘472: (claims 10-14, 17) ‘473: (claims 10-13, 23-29)</p>	<p>Proposed Construction:</p> <p>Plain and ordinary meaning.</p> <p><u>Intrinsic Evidence:</u> [‘472 patent at 2: 1-3] – A cutout is arranged such that a side portion of the operation table closer to the hinge has a recess.</p> <p>[‘472 patent at 2: 12-21] – Since the cutout is arranged to be on the closer side with respect to the hinge, the cutout comes close to an operation table of an adjacent gaming machine when the front door is in an open position. The gaming machine allows the operation table to be spaced a certain distance from the operation table of the adjacent gaming machine so as to avoid collision. In this way, the gaming machine allows the front door to be opened enough to perform easy maintenance inside the cabinet.</p> <p>[‘472 patent at 9: 39-45] – Since a curved recess provided by the cutout 21a avoids interference with the wrist rest 36b, and the cutout 21a of the first gaming machine 1a is spaced a given distance from the wrist rest 36b of the adjacent second gaming machine 1b, the front door 22a of the first gaming machine 1a can be opened</p> <p>[JP2007-160632 at paragraph [0009]] – Therefore, even when the front surface door of the gaming machine is open, the operation table of one gaming machine does not come into contact with the operation table of another adjacent gaming machine via the cutaway, and therefore the front surface door can be sufficiently opened and maintenance inside the cabinet can easily be performed.</p> <p><u>Extrinsic Evidence:</u></p>	<p>Proposed Construction:</p> <p>Plain and ordinary meaning, <i>i.e.</i>, “very near, nearest, immediately next to.”</p> <p><u>Extrinsic Evidence:</u> Proximate: “very near” (The Merriam-Webster Dictionary, 2005, p. 399, AGA00020483). “very near” (Merriam-Webster’s Concise Dictionary Large Print Edition, 2006, p. 518, AGA00020467). “Next, before, or after, nearest, (in space, serial order, a chain of causation, a train of thought, quality, time, etc.); immediately adjacent, immediate.” (Shorter Oxford English Dictionary, 6th Edition, 2007, p. 2385, AGA00020543). “closest in space, time, or relationship” (Pocket Oxford English Dictionary, 2005, p. 725, AGA00020518). “nearest or next” (Webster’s Dictionary & Thesaurus for Home, School and Office, 2005, p. 300, AGA00020564).</p>

#	'472/'473 Term/Phrase	UEC Proposed Construction & Evidence	AGA Proposed Construction & Evidence
		[Concise Oxford American Dictionary (2006)] - Proximal: situated nearer to the center of the body or the point of attachment.	
9.	"minimize" '473: (claim 10)	<p>Proposed Construction:</p> <p>Plain and ordinary meaning.</p> <p><u>Intrinsic Evidence:</u> ['472 patent at 2:4-9, 12-21] – The gaming machine described above that can allow the operation table to avoid collision with an operation table of an adjacent gaming machine while the front door is in an open position. In this way, the gaming machine allows the front door to be opened enough to perform an easy maintenance inside the cabinet. In addition, since it is possible to save spacing between juxtaposed gaming machines, the number of gaming machines installed in a given area available for installation can be increased. Since the cutout is arranged to be on the closer side with respect to the hinge, the cutout comes close to an operation table of an adjacent gaming machine when the front door is in an open position. The gaming machine allows the operation table to be spaced a certain distance from the operation table of the adjacent gaming machine so as to avoid collision. In this way, the gaming machine allows the front door to be opened enough to perform easy maintenance inside the cabinet.</p> <p>['472 patent at 2:25-36] – The gaming machine, which has the cutout configured as described above, allows the operation table to avoid collision with an operation table of an adjacent gaming machine even if the cutout comes close to the operation table of the adjacent gaming machine. In this way, the gaming machine allows the front door to be opened enough to perform easy maintenance inside the cabinet. In addition, the gaming machine allows spacing relative to an adjacent gaming machine to be saved, thereby increasing the number of gaming machines to be installed in a given area available for installation.</p> <p>['472 patent at 3: 3-5] – FIG. 1 is an enlarged view illustrating juxtaposed gaming machines with a front door of one gaming machine in an open</p>	<p>Proposed Construction:</p> <p>Plain and ordinary meaning, <i>i.e.</i>, "reduce to the smallest possible amount, extent, or degree."</p> <p><u>Extrinsic Evidence:</u> Minimize: "to reduce or keep to a minimum" (The Merriam-Webster Dictionary, 2005, p. 313, AGA00020481). "reduce to a minimum" (Merriam-Webster's Concise Dictionary Large Print Edition, 2006, p. 408, AGA00020462). "Reduce to the smallest possible amount, extent, or degree." (Shorter Oxford English Dictionary, 6th Edition, 2007, p. 1789, AGA00020538). "reduce something to the smallest possible amount or degree" (Pocket Oxford English Dictionary, 2005, p. 575, AGA00020513). "reduce to or estimate at a minimum" (Webster's New World Portable Large Print Dictionary, 2007, p. 493, AGA00020583). Minimum: "the least quantity assignable, admissible or possible" (The Merriam-Webster Dictionary, 2005, p. 313, AGA00020481). "lowest quantity or amount" (Merriam-Webster's Concise Dictionary Large Print Edition, 2006, p. 408, AGA00020462). "Reduce to the smallest possible amount, extent, or degree." (Shorter Oxford English Dictionary, 6th Edition, 2007, p. 1789, AGA00020538). "smallest quantity possible" "lowest or least possible" (Webster's New World Portable Large Print Dictionary, 2007, p. 493, AGA00020583).</p>

#	'472/'473 Term/Phrase	UEC Proposed Construction & Evidence	AGA Proposed Construction & Evidence
		<p>position;</p> <p>['472 patent at 3:10-12] – FIG. 4 is a perspective view illustrating gaming machines juxtaposed with a front door of one gaming machine in an open position;</p> <p>['472 patent at 3:33-45] – A cutout 21 is arranged to lie on a closer side of the front periphery of the operation table 5 with respect to the hinge 30. When a plurality of gaming machines 1 is juxtaposed and a front door 22 is opened, an operation table 5a of a first gaming machine 1a does not collide with an operation table 5b of a second gaming machine 1b which is adjacent to the first gaming machine 1a. Accordingly, the gaming machine 1 allows the front door 22 to be opened enough for an easy maintenance inside the cabinet. Furthermore, this can make spacing between the adjacent gaming machines smaller, and increase the number of gaming machines 1 which can be installed in a given installation area.</p> <p>['472 patent at 9: 21-27] – A description is given of a case where first and second gaming machines 1a and 1b are juxtaposed with reference to FIGS. 1 and 4. The description is focused on a relation between a cutout 21a of the first gaming machine 1a and an operation table 5b of the second gaming machine 1b, while a front door 22a of the first gaming machine 1a is an open position.</p> <p>['472 patent at 9:36-45] – In this case, the cutout 21a on the left of the operation table 5a of the first gamine machine 1a is likely to collide with the right end of a wrist rest 36b on the right of the operation table 5b of the second gaming machine 1b. Since a curved recess provided by the cutout 21a avoids interference with the wrist rest 36b, and the cutout 21a of the first gaming machine 1a is spaced a given distance from the wrist rest 36b of the adjacent second gaming machine 1b, the front door 22a of the first gaming machine 1a can be opened enough to perform easy maintenance inside the cabinet. Furthermore, since this can save spacing between the adjacent gaming machines 1a and 1b, it is possible to</p>	

#	'472/'473 Term/Phrase	UEC Proposed Construction & Evidence	AGA Proposed Construction & Evidence
		<p>increase the number of gaming machines 1 that can be installed in a given area available for installation.</p> <p>[472 patent at FIGs. 2 and 3] –</p> <p>[JP2007-160632 at paragraph [0009]] – Therefore, even when the front surface door of the gaming machine is open, the operation table of one gaming machine does not come into contact with the operation table of another adjacent gaming machine via the cutaway, and therefore the front surface door can be sufficiently opened and maintenance inside the cabinet can easily be performed.</p> <p>[JP2007-160632 at paragraph [0015]] – “...a cutaway part 21 is provided on the hinge 30 side of the end edge of the front side of the operation table 5. Therefore, even when the front surface door 22 is opened in a condition where a plurality of gaming machines 1 are adjacently arranged, the operation table 5a provided on one gaming machine 1a will not come into contact with the operation table 5b of another adjacent gaming machine 1b, and therefore the front surface door can be sufficiently opened and maintenance inside the cabinet can easily be performed...”.</p>	
10.	“protrusion” '472: (claims 1-21)	<p>Proposed Construction:</p> <p>Plain and ordinary meaning</p> <p><u>Intrinsic Evidence:</u> <i>See</i> Term #1</p> <p><u>Extrinsic Evidence:</u> [Merriam Webster Collegiate Dictionary (10th ed. 1997)] - Protrusion: “something that protrudes”</p> <p>Protrude: “to jut out from the surrounding surface or context”</p> <p>[The American Heritage Dictionary (4th ed. 2006)] - Protrusion: “Something that protrudes”</p> <p>Protrude: “To push or thrust outward. –intr. To jut out”</p>	<p>Proposed Construction:</p> <p>Plain and ordinary meaning, <i>i.e.</i>, “something that juts or sticks out beyond a surface.”</p> <p><u>Extrinsic Evidence:</u> Protrusion: “something that protrudes or sticks out” (Pocket Oxford English Dictionary, 2005, p. 724, AGA00020517).</p> <p>“That which protrudes; a thing that is protruded.” (Shorter Oxford English Dictionary, 6th Edition, 2007, p. 2382, AGA00020541).</p> <p>Protrude: “Extend beyond or above a surface; stick out; project.” (Shorter Oxford English Dictionary, 6th Edition, 2007, p. 2382, AGA00020541).</p> <p>Protrude: “jut out” (Webster’s New World Portable Large Print Dictionary, 2007, p. 629, AGA00020585).</p>

#	'472/'473 Term/Phrase	UEC Proposed Construction & Evidence	AGA Proposed Construction & Evidence
			Protrude: "stick out or cause to stick out" (Merriam-Webster's Concise Dictionary Large Print Edition, 2006, p. 517, AGA00020466).

2. '013 Patent

#	'013 Patent Term/Phrase	UEC Proposed Construction & Evidence	AGA Proposed Construction & Evidence
1.	"communicate"	<p>Proposed Construction:</p> <p>Plain and ordinary meaning:</p> <p><u>Intrinsic Evidence:</u></p> <p>['013 patent at 9: 13-15] – A space in the CPU cabinet 50 communicates with a housing space 63 via the communicating portion 542 and/or the communicating portion 544, respectively.</p> <p>[JP2007-169775 at [0079]] – Air within the CPU cabinet 50 is linked to the storage space 63 through the first communication part 542 and the second communication part 544, both of which are formed at the cabinet front part 54.</p> <p><u>Extrinsic Evidence:</u></p> <p>[Merriam Webster Collegiate Dictionary (10th ed. 1997)]– Communicate: "3 to cause to pass from one to another ... 3 to open into each other: connect"</p>	<p>Proposed Construction:</p> <p>Plain and ordinary meaning: exchange, transmit</p> <p><u>Intrinsic Evidence:</u></p> <p>"the gaming machine can discharge the heat dissipated by the control board and the components via the communicating portion" ('013, 2:51-53).</p> <p>"A space in the CPU cabinet 50 communicates with a housing space 63 via the communicating portion 542 and/or the communicating portion 544, respectively" ('013, 9:12-15).</p> <p>"Furthermore, the internal space of the CPU cabinet 50 communicates with the housing space 63 via the first communicating portion 542 and the second communicating portion 544 formed in the cabinet front portion 54. In this way, as shown by a broken arrow 773, heat in the CPU cabinet 50 can be exhausted outside of the main control unit 49 via the first communicating portion 542 and the second communicating portion 544, the housing space 63, and the exhausting portion 617" ('013,10: 46-50).</p> <p>"In addition, a plurality of the gaming machines 1 as configured above are installed in an amusement facility such as a casino and are communicably connected to a server for monitoring these gaming machines. In this case, the second information outputted from the abovementioned second sensor switch 341 is transmitted to the server and stored as a log in memory provided on the server."</p>

#	'013 Patent Term/Phrase	UEC Proposed Construction & Evidence	AGA Proposed Construction & Evidence
			<p>('013, 15:25-31).</p> <p>"Furthermore, the internal space of the CPU cabinet 50 communicates with the housing space 63 via the first communicating portion 542 and the second communicating portion 544 formed in the cabinet front portion 54. In this way, as shown by a broken arrow 773, heat in the CPU cabinet 50 can be exhausted outside of the main control unit 49 via the first communicating portion 542 and the second communicating portion 544, the housing space 63, and the exhausting portion 617." ('013, 10:42-50).</p> <p><u>Extrinsic Evidence:</u></p> <p>[Merriam Webster Collegiate Dictionary (10th ed. 1997)]- Communicate: "3 to cause to pass from one to another ... 3 to open into each other: connect"</p> <p>Communicate:</p> <p>"give or exchange information" (Webster's New World Dictionary, 2007, p. 164, AGA00020577).</p> <p>"share or exchange information" (Pocket Oxford English Dictionary, 2005, p. 174, AGA00020504).</p> <p>"exchange information or opinions" (Merriam-Webster's Concise Dictionary, 2006, p. 127, AGA00020454).</p>

#	'013 Patent Term/Phrase	UEC Proposed Construction & Evidence	AGA Proposed Construction & Evidence
2.	<p>"flapping portion"</p> <p>"the first box has a flapping portion that extends from the first inner wall to the second inner wall and extends downward toward the front portion of the second box"</p> <p>(claim 12)</p>	<p>Proposed Construction:</p> <p>Plain and ordinary meaning: [the first box has] a portion that extends between the inner walls of the cabinet, and also extends downward toward the front portion of the second box.</p> <p><u>Intrinsic Evidence:</u></p> <p>['013 patent at 11: 43-46] – The flapping portion 261 horizontally extends between both ends of an inner wall of the cabinet 2, and also extends downward toward the front portion of the main control unit 49.</p> <p>[JP2007-169775 at [0085]] – As shown in Fig. 7, on the surface of the cabinet lower part 29 side of the lower shelf board 26, two guide members 31a and 31b extending in the front-back direction within the cabinet 2 are provided in parallel with each other, and a switch unit 34 is provided in between those guide members 31a and 31b. Each of the guide members 31a and 31b has a U-shaped guide groove as well as a concave part 32a or 32b formed. The front end part of the lower shelf board 26 is bent to form a hanging part 261. The hanging part 261 bridges between the inner wall on the one end side of the cabinet 2 and the inner wall on the other side of the same horizontally and extends downward toward the main control unit 49.</p>	<p>Proposed Construction:</p> <p>Plain and ordinary meaning: the portion of the shelf that extends downward toward the front portion of the second box.</p> <p><u>Intrinsic Evidence:</u></p> <p>"In addition, a front end portion of the lower shelf board 26 is folded to form into a flapping portion 261." ('013, 11:41-43).</p> <p>"the second locking part locks the flapping portion such that the front member is maintained in a closed position" ('013 patent, 4:65-67).</p> <p><u>Extrinsic Evidence:</u></p> <p>Flap:</p> <p>"something broad and hinged or attached on one side only [...] as the seal of an envelope" (Shorter Oxford English Dictionary, 2007, p. 980, AGA00020536).</p> <p>"a piece attached to something by one side only" (Pocket Oxford English Dictionary, 2005, p. 341, AGA00020510).</p>

3. '047 Patent

#	'047 Patent Term/Phrase	UEC Proposed Construction & Evidence	AGA Proposed Construction & Evidence
1.	<p>"wherein each of the reel sheets includes one symbol appearing serially, at least two times, without any intervening different symbol"</p>	<p>Plain and ordinary meaning.</p> <p>wherein each of the reel sheets includes one mark or character appearing serially, at least two times, without any intervening different mark or character</p> <p><u>Intrinsic Evidence:</u></p> <p>['047 patent at 2: 63 – 3: 3] - According to the invention, there is provided a display for game having a</p>	<p>Proposed Construction: two or more identical symbols appearing serially, without any intervening different symbols, on the reel sheet.</p> <p><u>Intrinsic Evidence:</u></p> <p>'047 Patent, Figures 1 & 3-8.</p> <p>"When two or more such identical symbols appear in sequence, even if the symbols are moved at a fairly high rate of speed, the</p>

#	'047 Patent Term/Phrase	UEC Proposed Construction & Evidence	AGA Proposed Construction & Evidence
1	(claims 1, 3, 7, 8, 10)	display portion for movable indication of a plurality of symbols necessary for the game in a certain direction, wherein a special kind of symbol among the plurality of symbols is indicated in such manner that two or more identical symbols appear recognizably successively in the direction to be moved on the display portion for a player to perform an effective stop operation.	player can distinguish such repetition of a symbol in the sequence.” ’047 Patent, Abstract
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3			
4			
5			
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7		[‘047 patent at 3: 4-8] -	“On reel sheets 100L , 100C , and 1008 , of FIG. 1, a plurality of symbols are arranged in a predetermined sequence as a symbol row drawn on each sheet. Since only a set of sequential three sequential “bell” symbols are arranged among 21 symbols in a symbol row of reel sheet 100L , the three “ bell” symbols appear recognizably serially one after another once rotation of a reel that is provided with reel sheet 100L . Since only a set of three sequential “plum” symbols are arranged in the symbol row of reel sheet 100C , the three “plum” symbols appear recognizably serially one after another once rotation of a reel that is provided with reel sheet 100C . Also, since only a set of three sequential “cherry” symbols appear recognizably serially one after another once rotation of a reel that is provided with reel sheet 100R , the sequentially arranged special symbols recognizably appear and permit a player to perform an effective [s]top operation.” ’047 Patent, 5:31-46
8		In the display portion, plural kinds of symbols necessary for the game are indicated while the display is moving. The player sometimes cannot easily distinguish the symbols from one another when the player watches the symbols moving at high speed.	
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11		[‘047 patent at 3: 9-17] -	
12		According to the invention, a special kind of symbol is indicated in such manner that two or more of identical symbols one after another in the direction of movement of the display. When two or more identical symbols are appeared successively, even if the symbols are moved at a relatively high speed, the player can distinguish the special symbol as it is. As the result, for example, in the slot machine in which the CT is adopted, the player can carry out relatively easily top operation such as push button operation with good timing.	“Each reel sheet includes, as part of the serially arranged symbols, at at least one location on the reel sheet, a single symbol that appears serially at least twice without any intervening different symbol. In the described embodiment of the patent application there are three appearances of each such repeating symbol on each reel sheet. Likewise, in that described embodiment, there are three reels.” ’047 FH at AGA00001104)
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14			
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19		[‘047 patent at 3: 18-25] -	
20		In the display for game according to the invention, a game state is established to be not advantageous to a player if the special kind of symbol is contained in a combination of symbols indicated on the display portion when movement of the symbols has been stopped. The player can easily see the special kind of symbol and can relatively easily carry out the stop operation with good timing not to indicate the symbol as a stop symbol.	“There are two fundamental limitations of claim 17 with regard to the arrangement of the symbols on the reel sheets. 1. Each reel sheet includes one symbol appearing serially, at least two times, without any different intervening symbol; and 2. Each symbol of the plurality of symbols appears on each of the reel sheets. (’047 FH at AGA0000930) (emphases in original).
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22			
23			
24			
25		[‘047 patent at 3: 26-35] -	
26		In the display for game according to the invention, a game state is established to be advantageous to a player if the special kind of symbol is contained in a combination of symbols indicated on the display portion when movement of the symbols has been stopped. The player	Ugawa fails to disclose the conjunction of these two conditions. That failure is not happenstance, but intentional, in Ugawa, demonstrating that claim 17 is patentable over Ugawa. As shown in Figure 22 of Ugawa, Ugawa's three reel sheets include as symbols a bell, the number 7, a bar, and a
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28			

#	'047 Patent Term/Phrase	UEC Proposed Construction & Evidence	AGA Proposed Construction & Evidence
1		can relatively easily carry out the stop operation with good timing to indicate the symbol as a stop symbol and can realize an indication of combination of stop symbols advantageous to the player, for example, corresponding to "big hit," "middle hit" or "small hit."	watermelon. No pair of these reel sheets is within or suggests claim 17. ('047 FH at AGA0000930)
2			Considering the left and center reel sheets of Figure 22 of Ugawa as a plurality of reel sheets, it is apparent that neither of conditions 1 and 2 is fulfilled. Condition 1 is not met by the center reel sheet because there is no symbol appearing at least twice without any intervening different symbol on that reel sheet. Condition 2 is not met because the watermelon symbol does not appear on the left reel sheet. Considering the left and right reel sheets of Figure 22 of Ugawa, condition 2 is not met. The left reel sheet, as already indicated, does not include the watermelon symbol so that each symbol of the plurality of symbols does not appear on each of the reel sheets. Likewise, the right reel sheet does not include the bell symbol, also failing to meet condition 2. ('047 FH at AGA0000930)
3			The final potential combination of two of the reel sheets of Figures 22 of Ugawa is the center reel sheet and the right reel sheet. As already described, the center reel sheet does not meet condition 1 because there is no repetition of any symbol at least twice without any intervening different symbol. The right reel sheet, as already mentioned, does not meet condition 2 because the bell symbol does not appear, meaning that each symbol of the plurality of symbols does not appear on each of the reel sheets. ('047 FH at AGA0000930)
4			It follows, from having considered all possible permutations of the Ugawa reel sheets, taken two at a time, that the three reel sheets, considered together, cannot meet both of conditions 1 and 2 of claim 17. In other words, no plurality of Ugawa's reel sheets includes on each sheet a serially repeating symbol, without intervening different symbols and not every symbol appears on every reel sheet." Appeal Brief ('047 FH at AGA0000930) (emphases in original).
5			"In the described embodiment, a player actuates a button or other mechanical element to stop each reel from rotating. Each reel sheet includes, as part of the serially arranged symbols, at at least one location on the reel sheet, a single symbol that appears serially at least twice without any intervening different symbol." Response to OA ('047 FH at
6		[‘047 patent at 3: 36-51] - In the display for game of this invention, first, second and third symbols among the special kind of symbols are indicated in such manner that two or more of identical symbols be appeared serially one after another in first, second and third columns, respectively, the first symbol being a constituent of a specified combination of symbols that is indicated on the display portion when movement of the symbols has been stopped, the second symbol being a constituent of another specified combination of symbols that is indicated on the display portion when movement of the symbols has been stopped, and the third symbol being a constituent of the other specified combination of symbols that is indicated on the display portion when movement of the symbols has been stopped. In this case, a player can recognize and distinguish the special kinds of symbols from the other symbols in the columns, respectively.	
7		[‘047 patent at 3: 52-58] - For example, in a display portion of a slot machine, when first symbol has been stopped at a predetermined position of first column, a player can comparatively easily obtain a win based on the first symbol combination by button-pushing operation so as to avoid second and third symbols, that are different symbols from the first symbol, in second and third columns, respectively.	
8		[‘047 patent at 4: 8-12] - In the display for game according to this invention, the special kind of symbol is distinguished by a special appearance from the other symbols, for example, specified color, specified size, specified displacement from centerline or the like.	
9		[‘047 patent at 4: 13-18] - Even if the special kinds of symbols are appeared in a manner that plurality of identical	

#	'047 Patent Term/Phrase	UEC Proposed Construction & Evidence	AGA Proposed Construction & Evidence
		<p>symbols are serially one after another, the special kinds of symbols are hard to be recognized because of in interaction between the other symbols if these symbols have same or resemble color as the other symbols have.</p> <p>['047 patent at 4: 24-27] - When the special kinds of symbols are specified not only by color but also size smaller or larger than the other, position of displacement to left or right compared with the other symbols, easiness in recognition increases.</p> <p>['047 patent at 4: 59-61] - FIG. 1 is a plan view of three reel sheets showing a plurality of symbols arranged in accordance with a specific illustrative embodiment of the invention;</p> <p>['047 patent at 5: 14-16] - FIG. 8 is a representation of an illustrative award table showing a plurality of winning patterns consisting of combinations of symbols.</p> <p>['047 patent at 5: 26-30] - FIG. 1 shows three reel sheets 100L, 100C, 100R that are to be attached to respective peripheral surfaces of three rotatable reels (not shown). Several kinds of symbols are drawn on each reel sheet 100L, 100C, 100R and each symbol is arranged at a constant interval of distance with respect to each other.</p> <p>['047 patent at 5: 31-46] - On reel sheets 100L, 100C, and 100R, of FIG. 1, a plurality of symbols are arranged in a predetermined sequence as a symbol row drawn on each sheet. Since only a set of sequential three sequential "bell" symbols are arranged among 21 symbols in a symbol row of reel sheet 100L, the three "bell" symbols appear recognizably serially one after another once rotation of a reel that is provided with reel sheet 100L. Since only a set of three sequential "plum" symbols are arranged in the symbol row of reel sheet 100C, the three "plum" symbols appear recognizably serially one after another once rotation of a reel that is provided with reel sheet 100C. Also, since only a set of three sequential "cherry" symbols appear recognizably serially one after</p>	<p>AGA0001104).</p> <p>"Further, the multiple symbols appearing serially may be desirable for stopping along one of the lines to achieve a winning state through a particular combination of symbols and others of the repeated symbols may indicate a losing state if appearing on one of the lines." ('047 FH at AGA00001104-1105).</p> <p>"one symbol appearing serially." '047, 9:29-30.</p> <p>"The display for a game according to claim 17 wherein the specific combinations of the symbols providing a winning state include any one of the symbols of the plurality of symbols that appears identically along any of the straight lines of the display window without interruption by any other symbol." '047, 10:49-55; Claim 16, introduced by amendment as Claim 32 ('047 FH at AGA00001073).</p> <p>"symbols of at least two parallel lines to the common axis when stopped (see figure 19) a display that has 2 or more identical symbols appearing serially, as shown in the main figure of his invention, figure 22 and in figure 19." ('047 FH at AGA00001041.)</p> <p>"Moreover, according to the disclosure of the present patent application, as shown by the award table of Figure 8 and as recited in new claim 32, every alignment of identical symbols without interruption by a different symbol provides a winning state." ('047 FH at AGA00001076.)</p> <p>"Neither Ugawa nor Kimura describe a display for a game in which each of the reel sheets includes a single symbol appearing serially, at least twice, without any intervening different symbol." ('047 FH at AGA00001105.)</p> <p>Original Claim 1 & Response to OA ('047 FH at AGA00001198).</p> <p>"According to the invention, a special kind of symbol is indicated in such manner that two or more of identical symbols be appeared serially one after another in the direction to be moved. When two or more identical symbols are appeared successively, even if that symbols are moved in a high speed, the player can distinguish the special symbol . . ."</p>

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		<p>another once rotation of a reel that is provided with reel sheet 100R, the sequentially arranged special symbols recognizably appear and permit a player to perform an effective stop operation.</p> <p>['047 patent at 5: 47-58] - Regarding special kinds of symbols, in this specific illustrative embodiment of the invention, three identical symbols are repeated sequentially in the direction of rotation of the reel (illustrated by the downward arrow) on each reel sheet 100L, 100C, 100R. More specifically, and as emphasized by the dotted lines in FIG. 1, on the first reel sheet 100L, three "bell" symbols 101 are grouped sequentially; on second reel sheet 100C, three "plum" symbols 102 are grouped sequentially; and on third reel sheet 100R, three "cherry" symbols 103 are grouped sequentially. When the reels (not shown) are rotated, the plural sequential special symbols are easily distinguished from the other symbols.</p> <p>['047 patent at 5: 59-64] - In this specific illustrative embodiment of the invention, each of the special symbols has an associated coloration. That is, "bell" symbol 101 is colored yellow, "plum" symbol 102 is colored blue, and "cherry" symbol 103 is colored red. The player can easily find each special symbol by detecting its associated color.</p> <p>['047 patent at 6: 20-26] - In cabinet 2, three rotatable reels 4L, 4C, 4R are arranged side-by-side. On the periphery surface of each reel is attached an associated one of reel sheets 100L, 100C, 100R having symbols drawn thereon shown in FIG. 1. The symbols are indicated in display window 3 sequentially by rotation of the reels. A variable display is constituted with these rotatable reels.</p> <p>['047 patent at 7: 18-32] - It is understood by the player that a predetermined plurality of symbols (illustratively four) on each reel can be caused to be displayed in the display window in response to the button-pushing operation. Thus, with respect to third reel 4R of FIG. 4, symbols up to the</p>	<p>'047 Patent, 4:20-5:2 & Response to OA ('047 FH at AGA00001154).</p> <p>"As described in claim 17, each of the reel sheets includes one symbol appearing serially, at least two times, without any intervening different symbol. Referring to Figure 1, for example, in the reel sheet 100L, three bell symbols appear serially without any intervening different symbol. In the reel sheet 100C, such repeating symbols are represented by plums. In the third reel sheet, 100R, the cherry symbol appears three times without interruption by an intervening different symbol." Appeal Brief ('047 FH at AGA0000929).</p> <p>"Claim 23 describes the symbols that appear on the reel sheets at least two times without any intervening different symbol as appearing three times on each reel. This claim is supported by Figure 1 of the patent application where the repeating symbols 101, 102, and 103 on the respective reel sheets each appear three times without any intervening different symbol." Appeal Brief ('047 FH at AGA0000929).</p> <p>"Claim 25 specifies that the repeating symbols on each of the reels is different on each of the reels as shown in Figure 1 of the patent application." Appeal Brief ('047 FH at AGA0000929).</p> <p>"Claim 28 specifies that each symbol that appears serially on one reel also appears, although not serially, without any intervening symbol, on the other reel sheets. It is clear from studying Figure 1 that the bell symbols that repeats on the reel 100L likewise appears on both of the reels 100C and 100R, but without repetition." Appeal Brief ('047 FH at AGA0000929).</p> <p>"New claim 28 specifies that each of the symbols that is repeated on one of the reel sheets also appears on the other reel sheets, but is not repeated on the other reel sheets without an intervening different symbol. For example, referring again to Figure 1 of the patent application, the bell symbol appears on all three of the reel sheets but only as a repeated symbol on one of the reel sheets. The same situation is true for both the plum and cherry symbols." Amendment/Response to OA ('047 FH at AGA0001074).</p>

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		<p>predetermined number of symbols (i.e., four) above the upper section in the display can be dragged into the display window in response to the button-pushing operation. For example, the player's timing of the button-pushing operation can be effected in response to the presence of a symbol positioned at the lower section to 3+4=7 symbols. Accordingly a win can be achieved even if the timing of the button-pushing operation is off to a limited extent. In other words, the present invention provides an increase in the permissible tolerance of the player's timing of the button-pushing operation.</p> <p>['047 patent at 8: 27-34] - As mentioned above, the recognition of a symbol becomes easy for a player by the sequential placement of a plurality of identical symbols, which become special kinds of symbols in the playing of the game. In the case where the above-mentioned CT game is performed, even a beginner player can enjoy a profit that is not inferior to that of a skilled player, because the timing tolerance of the push-button operation is enlarged.</p> <p>['047 patent at 8: 41-52] - The sequential three "cherry" symbols 103 of third reel 4R have no corresponding winning patterns in the award table of FIG. 8. Therefore, if "cherry" symbols 103 are indicated as still in the upper, middle and lower sections, the player cannot obtain any advantageous condition. Thus, the player can try push the stop buttons so as to avoid any "cherry" symbols 103 from stopping in the indication, because "cherry" symbols 103 can be distinguished from the other symbols even during movement. Accordingly, a winning pattern can be achieved when the player operates the stop button of third reel 4R in the state as shown in FIG. 4 or FIG. 6 by avoiding "cherry" symbols 103 from the stop indication.</p> <p>['047 patent at 8: 53-63] - The sequential three "bell" symbols 101 and the sequential three "plum" symbols 102 not only have direct effect in facilitating the arrangement of a winning</p>	<p>Extrinsic Evidence:</p> <p>Serial(ly): "...pertaining to or arranged in a series." (The New Webster's Encyclopedic Dictionary of the English Language, 1997, p. 603.) (AGA00020497)).</p> <p>Intervene: "intercede; mediate; to occur between other events or periods; to occur incidentally so as to modify or hinder." (The New Webster's Encyclopedic Dictionary of the English Language, 1997, p. 360.) (AGA00020494)).</p>

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		<p>combination of symbols, but also have indirect effect in facilitating the other winning combinations of symbols shown in the award table of FIG. 8. That is, more advantageous winning combinations of symbols such as all “7” symbols, all “character” symbols or the like are achieved by avoiding “bell” symbol 101 and “plum” symbol 102 from the stop indication, in a manner similar to the avoidance of “cherry” symbols 103, mentioned hereinabove.</p> <p>[JP 9-340193 at 0007] A first aspect of the present invention provides a display device for gaming, containing a display surface that movingly displays in a constant direction a plurality of types of symbols required for gaming, wherein a plurality of specific types of symbols from the symbols displayed on the display surface continuously appear in a moving direction.</p> <p>[JP 9-340193 at [0011]] The fifth aspect is configured such that the specific type of symbol is distinguished from other symbols by a specific aspect, such as a specific color or specific size, or having a specific displacement or the like from a center line.</p> <p>[JP 9-340193 at [0013]] Another aspect of the present invention provides a gaming machine containing a display device that movingly displays in a constant direction a plurality of types of symbols required for gaming, wherein a plurality of specific types of symbols from the symbols displayed on the display device continuously appear in a moving direction.</p> <p>[JP 9-340193 at [0019]] With the fifth aspect, even if a plurality of specific types of symbols will continuously appear in the moving direction, and if the specific types of symbols cannot easily be recognized due to mutual interference of the colors of the various symbols, but herein, and the specific types of symbols will be distinguished from other symbols by a specific color or the like, so the specific types of symbols can be recognized</p>	

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		<p>without interference from other symbols, during moving display. There is no restriction to having a specific color, and the size of this symbol can be a specific size that is smaller or larger than the other symbols, or the position of this symbol can similarly be to the left or right compared to the other symbols that are aligned with the center, and thus the specific types of symbols can be more easily recognized.</p> <p>[JP 9-340193 at [0023]] FIG. 1 illustrates three reel sheets that are attached to the outer circumferential surface of three rotary reels. A plurality of types of symbols are drawn on the reel sheets 100L, 100C, 100R, and the symbols are provided at fixed intervals. Herein, a plurality of specific types of symbols are continuously arranged (3 symbols and FIG. 1) in a fixed direction (in this case, the rotating direction of the reel shown by the arrow) on the reel sheets 100L, 100C, 100R. As indicated by the broken line enclosure in FIG. 1, three “Bell” symbols 101 are continuously arranged on the first reel sheet 100L, three “Plum” symbols 102 are continuously arranged on the second reel sheet 100C, and three “cherry” symbols 103 are continuously arranged on the third reel sheet 100R. Therefore, when the reels are rotated, the specific types of symbols are movingly displayed continuously in the display part, and therefore the player can easily distinguish and recognize them from other symbols.</p> <p>[JP 9-340193 at 0024] With this embodiment, a different color is applied to each of the symbols (the “bell” symbol 101 is yellow, the “plum” symbol 102 is blue, and the “cherry” symbol 103 is red). This is because these colors can mutually interfere if there are symbols with the same or similar color among the other symbols. Therefore, if the same or similar color symbols are continuously arranged, interference with the other symbols due to the rotation of the reel will not occur, and the player will be able to easily recognize the specific types of symbols from the colors that are displayed.</p>	

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		<p data-bbox="492 260 737 287">[JP 9-340193 at 0034]</p> <p data-bbox="492 289 935 953">First, FIG. 3 is a display example for the case where a player press operates the stop buttons in order of the first stop button 6L, the second stop button 6C, and the third stop button 6R, and illustrates a condition where the first reel 4L is stopped by the press operation of the first stop button 6L, but the second reel 4C and the third reel 4R are movingly displayed. In this example, the “plum” symbol 102 stops in the upper position of the first reel 4L, and a visual stop operation can easily be performed because three “plum” symbols 102 are continuously arranged as described above on the next second reel 4C, and therefore the player can be aware from this moment that there is a possibility of a “win” according to the win condition 202 (FIG. 8) made of a combination of three “plum” symbols 102 as described below.</p> <p data-bbox="492 1020 789 1047">[JP 9-340193 at [Claim 1]]</p> <p data-bbox="492 1050 935 1289">A display device for gaming, comprising a display surface that movingly displays in a constant direction a plurality of types of symbols required for gaming, wherein a plurality of specific types of symbols from the symbols displayed on the display surface continuously appear in a moving direction.</p> <p data-bbox="492 1325 862 1352">FH, Original Application at 16-17.</p> <p data-bbox="492 1388 870 1415">FH, OA Response, 5-1-2000 at 1-3.</p> <p data-bbox="492 1451 883 1478">FH, OA Response, 9-11-2000 at 1-3.</p> <p data-bbox="492 1514 915 1568">FH, OA Response, 6-15-2001 at 2-4, 7-10, 14-17.</p> <p data-bbox="492 1604 927 1659">FH, OA Response, 12-11-2002 at 1-3, 7-9, Annexure 1 page A-B.</p> <p data-bbox="492 1694 837 1749">FH, OA Response, 1-15-2004 at Annexure 1 page A-E.</p> <p data-bbox="492 1785 870 1812">FH, OA Response, 7-7-2004 at 2-3.</p> <p data-bbox="492 1848 870 1875">FH, OA Response, 7-7-2004 at 2-6.</p> <p data-bbox="492 1911 883 1938">FH, OA Response, 3-3-2005 at 2-10.</p> <p data-bbox="492 1974 902 2001">FH, Board Decision, 12-2-2011 at 2-6.</p>	

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		<p>FH, Notice of Allowance, 4-26-2012 at 2.</p> <p><u>Extrinsic Evidence:</u></p> <p>[Merriam Webster Collegiate Dictionary (10th ed. 1997)]-</p> <p>Symbol: "An arbitrary or conventional sign used in writing or printing relating to a particular field to represent operations, quantities, elements, relations, or qualities"</p> <p>[The American Heritage Dictionary (4th ed. 2006)]-</p> <p>Symbol: "A printed or written sign used to represent an operation, element, quantity, quality, or relation"</p>	
2.	<p>"each symbol of the plurality of symbols appears on each of the reel sheets"</p> <p>(claim 1)</p>	<p>Plain and ordinary meaning.</p> <p>each symbol of the group of symbols appears on each of the reel sheets</p> <p><u>Intrinsic Evidence:</u></p> <p>['047 patent at 4: 59-61] -</p> <p>FIG. 1 is a plan view of three reel sheets showing a plurality of symbols arranged in accordance with a specific illustrative embodiment of the invention;</p> <p>['047 patent at 5: 26-30] -</p> <p>FIG. 1 shows three reel sheets 100L, 100C, 100R that are to be attached to respective peripheral surfaces of three rotatable reels (not shown). Several kinds of symbols are drawn on each reel sheet 100L, 100C, 100R and each symbol is arranged at a constant interval of distance with respect to each other.</p> <p>[JP 9-340193 at 0023]</p> <p>FIG. 1 illustrates three reel sheets that are attached to the outer circumferential surface of three rotary reels. A plurality of types of symbols are drawn on the reel sheets 100L, 100C, 100R, and the symbols are provided at fixed intervals. Herein, a plurality of specific types of symbols are continuously arranged (3 symbols and FIG. 1) in a fixed direction (in this case, the rotating direction of the</p>	<p>Proposed Construction: Every symbol that appears on any reel sheet appears on every one of the reel sheets.</p> <p>Intrinsic Evidence:</p> <p>'047 Patent, Figure 1 & 5:26-28 (description of Fig. 1).</p> <p>"Further, according to the invention, every symbol that appears on any reel sheet appears on every one of the reel sheets. This condition can be seen to be fulfilled in the example of Figure 1 of the patent application." Appeal Brief ('047 FH at AGA00000930).</p> <p>"Furthermore, implicit in his teaching is appearance of each symbol on each reel since his invention teaches that three "7" or "Bar" (or other patterns) visible through 202, 203 & 204 is the probability being sought [0058]. Since other patterns may be used, to meet these criteria all patterns would need to be on each reel. Additionally, inherent in the design of slot/gaming machines is the teaching of all symbols/patterns being on each reel." ('047 FH at AGA0000903).</p> <p>"Furthermore, implicit in his teaching is appearance of each symbol on each reel since his invention teaches three "7" or "Bar" (or other patterns) visible through 202, 203 ('047 FH at AGA0000929-30).</p>

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		<p>reel shown by the arrow) on the reel sheets 100L, 100C, 100R. As indicated by the broken line enclosure in FIG. 1, three "Bell" symbols 101 are continuously arranged on the first reel sheet 100L, three "Plum" symbols 102 are continuously arranged on the second reel sheet 100C, and three "cherry" symbols 103 are continuously arranged on the third reel sheet 100R. Therefore, when the reels are rotated, the specific types of symbols are movingly displayed continuously in the display part, and therefore the player can easily distinguish and recognize them from other symbols.</p> <p><u>See FH citations for Term #1.</u></p> <p><u>Extrinsic Evidence:</u></p> <p>N/A</p>	<p>"Each of the reels includes a respective reel sheet containing a plurality of symbols that are sequentially arranged. Figure 1 illustrates three such reels 100L, 100C, and 100R that may be employed with a machine having three reels." Appeal Brief ('047 FH at AGA0000927).</p> <p>"2. <i>Each symbol of the plurality of symbols appears on each of the reel sheets.</i> Ugawa fails to disclose the conjunction of these two conditions. That failure is not happenstance, but intentional, in Ugawa, demonstrating that claim 17 is patentable over Ugawa. The pertinent figure of Ugawa for comparison to claim 17 is Figure 22. That figure illustrates three reel sheets including as symbols a bell, the number 7, a bar, and a watermelon. No pair of these reel sheets is within or suggests claim 17. Considering the left and center reel sheets of Figure 22 of Ugawa as a plurality of reel sheets, it is apparent that neither of conditions 1 and 2 is fulfilled. Condition 1 is not met by the center reel sheet because there is no symbol appearing at least twice without any intervening different symbol on that reel sheet. <i>Condition 2 is not met because the watermelon symbol does not appear on the left reel sheet.</i> . . . Considering the left and right reel sheets of Figure 22 of Ugawa, condition 2 is not met. The left reel sheet, as already indicated, does not include the watermelon symbol so that each symbol of the plurality of symbols does not appear on each of the reel sheets. Likewise, the right reel sheet does not include the bell symbol, also failing to meet condition 2. The final potential combination of two of the reel sheets of Figures 22 of Ugawa is the center reel sheet and the right reel sheet. As already described, the center reel sheet does not meet condition 1 because there is no repetition of any symbol at least twice without any intervening different symbol. The right reel sheet, as already mentioned, does not meet condition 2 because the bell symbol does not appear, meaning that each symbol of the plurality of symbols does not appear on each of the reel sheets. It follows, from having considered all possible permutations of the Ugawa reel sheets, taken two at a time, that the three reel sheets, considered together cannot meet both of conditions 1 and 2. In other words, no plurality of Ugawa's reel sheets includes on each sheet a serially repeating symbol, without intervening different symbols and not</p>

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			<p>every symbol appears on every reel sheet.” Reply to Office Action ('047 FH at AGA00001054) (emphases in original).</p> <p>“Claim 23 specifies that the repeating symbols appear at least three times on each reel. While the watermelon symbol appears at least three times on one of the reels of Ugawa's Figure 22, there is no such repetition on each reel. The Examiner asserted that modifying Ugawa to meet the limitation of claim 23 would be "mere duplication". This statement is incorrect because the addition of such symbols, whether winning symbols or loser symbols, would alter the potential results of the Ugawa game and might undermine Ugawa's objective.” ('047 FH at AGA0000936).</p> <p>“There are two fundamental limitations of claim 17 with regard to the arrangement of the symbols on the reel sheets. <i>1. Each reel sheet includes one symbol appearing serially, at least two times, without any different intervening symbol; and 2. Each symbol of the plurality of symbols appears on each of the reel sheets.</i> ('047 FH at AGA0000930) (emphases in original).</p> <p>Ugawa fails to disclose the conjunction of these two conditions. That failure is not happenstance, but intentional, in Ugawa, demonstrating that claim 17 is patentable over Ugawa. As shown in Figure 22 of Ugawa, Ugawa's three reel sheets include as symbols a bell, the number 7, a bar, and a watermelon. No pair of these reel sheets is within or suggests claim 17. ('047 FH at AGA0000930).</p> <p>Considering the left and center reel sheets of Figure 22 of Ugawa as a plurality of reel sheets, it is apparent that neither of conditions 1 and 2 is fulfilled. Condition 1 is not met by the center reel sheet because there is no symbol appearing at least twice without any intervening different symbol on that reel sheet. Condition 2 is not met because the watermelon symbol does not appear on the left reel sheet. Considering the left and right reel sheets of Figure 22 of Ugawa, condition 2 is not met. The left reel sheet, as already indicated, does not include the watermelon symbol so that each symbol of the plurality of symbols does not appear on each of the reel sheets. Likewise, the right reel sheet does not include the bell symbol, also failing to meet</p>

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			<p>condition 2. ('047 FH at AGA0000930).</p> <p>The final potential combination of two of the reel sheets of Figures 22 of Ugawa is the center reel sheet and the right reel sheet. As already described, the center reel sheet does not meet condition 1 because there is no repetition of any symbol at least twice without any intervening different symbol. The right reel sheet, as already mentioned, does not meet condition 2 because the bell symbol does not appear, meaning that each symbol of the plurality of symbols does not appear on each of the reel sheets. ('047 FH at AGA0000930).</p> <p>It follows, from having considered all possible permutations of the Ugawa reel sheets, taken two at a time, that the three reel sheets, considered together, cannot meet both of conditions 1 and 2 of claim 17. In other words, no plurality of Ugawa's reel sheets includes on each sheet a serially repeating symbol, without intervening different symbols and not every symbol appears on every reel sheet." Appeal Brief ('047 FH at AGA0000930 (emphases in original).</p> <p>The applicants added the following language to then-pending claim 17: "each symbol of the plurality of symbols appears on each of the reel sheets."</p> <p>Claims 1-16 (Cancelled).</p> <p>17. (Currently Amended) The A display for a game comprising: a plurality of independently rotatable reels, rotatable about a common axis; reels being independently and selectively stoppable when rotating; a respective reel sheet attached peripherally to each of the reels, each reel sheet including a plurality of symbols sequentially arranged, for viewing by a player upon stopping of rotation of the corresponding reel, wherein each of the reel sheets includes one symbol appearing serially, at least two times, without any intervening different symbol, so that a player can identify that symbol on the reel when rotating for actuating stopping of rotation of the corresponding reel and each symbol of the plurality of symbols appears on each of the reel sheets; and a display window for viewing symbols on the reels along each of at least two straight lines parallel to the common axis of each of the reels; when the reels are stopped, wherein alignments on at least one of the lines of any of specific combinations of the symbols provide a winning state for the player and all other combinations of the symbols on the straight lines do not provide a winning state for the player.</p> <p>Amendment ('047 FH at AGA00001071).</p> <p>"A further limitation is added to claim 17 that specifies that each of the symbols of the plurality of symbols on the reel sheets appears on each of the individual reel sheets. This description is supported, for example, by Figure 1 of the patent application. A comparison of the reel sheets 1 OOL, 1 OOC, and 1 OOR shows that every symbol appears, without exception, on each of the reel sheets. For example, the bell symbol 101 that appears in sequence without interruption on the reel sheet 1 OOL also appears elsewhere without repetition on that reel sheet and appears without repetition on each of the</p>

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			<p>other two illustrated reel sheets. Comparison to each of the other illustrated symbols and their appearances on all of the reel sheets shows that the added limitation is clearly supported by the application as filed. Claims 18 and 20 are amended to conform to the amendment of claim 17.”</p> <p>Amendment/Response to OA ('047 FH at AGA00001074).</p> <p>Extrinsic Evidence:</p> <p>On:</p> <p>“so as to be or remain supported by or suspended from; so as to be attached to or unified with.” (The New Webster’s Encyclopedic Dictionary of the English Language, 1997, p. 465, AGA00020496).</p>
3.	<p>“a display window . . . wherein alignments on at least one of the lines of any of specific combinations of the symbols provide a winning state for the player and all other combinations of the symbols on the straight lines do not provide a winning state for the player”</p> <p>(claim 1)</p> <p>“a display window . . . wherein alignments on at least one of the three straight lines of any of the specific combinations of the symbols provide a winning state for the player and all other</p>	<p>Plain and ordinary meaning.</p> <p><u>Intrinsic Evidence:</u></p> <p>['047 patent at 3: 18-25] -</p> <p>In the display for game according to the invention, a game state is established to be not advantageous to a player if the special kind of symbol is contained in a combination of symbols indicated on the display portion when movement of the symbols has been stopped. The player can easily see the special kind of symbol and can relatively easily carry out the stop operation with good timing not to indicate the symbol as a stop symbol.</p> <p>['047 patent at 3: 26-30] -</p> <p>In the display for game according to the invention, a game state is established to be advantageous to a player if the special kind of symbol is contained in a combination of symbols indicated on the display portion when movement of the symbols has been stopped.</p> <p>['047 patent at 6: 5-14] -</p> <p>In the front of a cabinet 2, which surrounds all of slot machine 1, a rectangular display window 3 is provided having width that is longer than its length. In this embodiment, display window 3 is arranged to be substantially. On display window 3 there are provided a plurality of winning lines 5, consisting of three horizontal lines and two diagonal</p>	<p>Proposed Construction: When the reels are stopped, the display window must include a winning state (combination that is predefined to constitute a win) on one of the straight lines, and all other combinations of symbols do not include a winning state.</p> <p>Intrinsic Evidence:</p> <p>'047, 1:30-41 (“When the rotation of all of the rotatable display elements has ceased, there is shown a specific combination of symbols (winning pattern) in the display window. The player is then given an award by paying out gaming media such as coins. In a known gaming machine, a “win” corresponding to a predetermined plurality of winning symbols being completely positioned on the effective line of the display when rotation of the rotatable display elements ceases occurs only when a win has been established by a system that is internal to the gaming machine. In a practical machine, this happens when a sampling operation of a random number issued by a microcomputer has been determined to constitute a win.”)</p> <p>“Sankyo (Ugawa) teaches that predetermined game value (winning state) is attained when the display result, at the time of a halt of two or more displays, becomes a the combination of the identification information for a hit <u>defined before hand</u> (see [0005]. Inherent in this teaching is any predefined combinations of win definitions within the machine display area (as desired by establishment).”</p>

#	'047 Patent Term/Phrase	UEC Proposed Construction & Evidence	AGA Proposed Construction & Evidence
	<p>combinations of the symbols on the three straight lines do not provide a winning state for the player”</p> <p>(claim 2)</p>	<p>lines. Additionally, there is shown to be provided a plurality of numerals, specifically 3, 2, 1, 2, 3 from top to bottom. These numerals are provided on the left and right (not specifically shown on the right-hand side) of display window 3.</p> <p>[‘047 patent at 6: 53-55] - FIGS. 3 to 6 show various states of indication in display window 3 of FIG. 2. In each of these figures, reference numerals 5A, 5B, 5C, 5D, and 5E represent the five winning lines.</p> <p>[‘047 patent at 7: 5-15] - If “plum” symbols 102 are positioned at the upper and middle sections of the display window when second reel 4C is stopped, as shown in FIG. 4, “plum” symbols 102 stand in two winning lines 5A, 5B, and consequently, winning pattern 202 shown in FIG. 8 (award table) will be formed on one of winning lines 5A and 5B if a further “plum” symbol 102 can be positioned in the upper or lower section when third reel 4R is stopped. Accordingly, indication of symbols of FIG. 4 corresponds to the expectation of a possible hit condition on two winning lines (termed a “double TENPAI” in this embodiment).</p> <p>[‘047 patent at 8: 64-66] - FIG. 8 is a specific illustrative example of an award table showing a plurality of symbol combinations that form winning patterns.</p> <p>[JP 9-340193 at 0033] FIG. 3 to FIG. 6 illustrate examples of display conditions in the display window 3 of FIG. 2. Herein, 5A, 5B, 5C, 5D, and 5E represent win lines (5 lines).</p> <p>[JP 9-340193 at 0035] In this case, if a “plum” symbol 102 is positioned on the upper line and the middle line in the display window by stopping the second reel 4C, as illustrated in FIG. 4, two “plum” symbols 102 will be aligned in 2 win lines 5A, 5B, and therefore if a “plum” symbol 102 is located on the upper line or the lower line when the third reel 4R is stopped, a winning condition 202 indicated in FIG. 8 (payout table) will be formed on win</p>	<p>Examiner’s Answer (‘047 FH at AGA0000916) & (‘047 FH at AGA0000905) (emphasis in original).</p> <p>“As explained in greater detail with respect to the prior art rejection, the arrangement of the symbols on the reel sheets, which may seem arbitrary in an isolated reading of claim 17, provides an important advantage over the prior art. In the prior art an alignment of identical symbols along a single straight line of the display may not provide a winning state and a reward for a player. Appeal Brief (‘047 FH at AGA00000927).</p> <p>See generally, amendment of claims through prosecution history, including amendment of claims regarding “game states.” See Response to OA (‘047 FH at AGA0001124) (“Amended independent claim 11, in clean form (see, Annexure 1 to view the specific amendments), specifies as follows: 11. (Currently Amended) A gaming machine for the playing of a game by a player, the game having a multiplicity of possible game states each corresponding to at least one of a plurality of symbols, a plurality of such games states constituting a corresponding plurality of predetermined game win states each associated with a win condition, and the remaining game states each corresponding to a predetermined game Joss state, the gaming machine comprising.”); <i>see also</i> (“In the display for game according to the invention, a game state is established to be advantageous to a player if the special kind of symbol is contained in a combination of symbols indicated on the display portion when movement of the symbols has been stopped.”); Response to OA (‘047 FH at AGA0001121) (“With respect to the Examiner’s assertion that every symbol relates to a game state, Applicant has amended independent claim 11 to specify that in the present invention there are a multiplicity of game states correspondingly associated with the various symbols, that a plurality of the game states are winning game states, and that the remaining game states are not winning game states.”)</p> <p>“On display window 3 there are provided a plurality of winning lines 5 . . .” ‘047 Patent, 6:8-10.</p> <p>“Further, neither Ugawa nor Kimura describes a display for a game in which there</p>

#	'047 Patent Term/Phrase	UEC Proposed Construction & Evidence	AGA Proposed Construction & Evidence
		<p>line 5A or 5B, so a “win” is achieved. Therefore, the symbol display of FIG. 4 is a condition where a win can be anticipated on two win lines (referred to as a “double win chance”).</p> <p>[see generally JP 9-340193 at 0033-0042]</p> <p><u>See FH citations for Term #1.</u></p> <p><u>Extrinsic Evidence:</u></p> <p>N/A</p>	<p>are at least two parallel winning lines along which combinations of symbols are displayed and on either of which winning combinations of symbols can appear.” Response to OA (’047 FH at AGA00001105).</p> <p>Extrinsic Evidence:</p> <p>Alignment:</p> <p>“arrangement in a straight line; . . .” (The New Webster’s Encyclopedic Dictionary of the English Language, 1997, p. 17, AGA00020492).</p> <p>Line:</p> <p>“a long mark of very slight breadth, made with a pen, pencil, tool, etc., on a surface;” (The New Webster’s Encyclopedic Dictionary of the English Language, 1997, p. 396, AGA00020495).</p> <p>Interrupt[ion]:</p> <p>“to cause or make a break in the continuity or uniformity of (a course, process, condition, etc.); to break off or cause to cease, as in the middle of something.” (The New Webster’s Encyclopedic Dictionary of the English Language, 1997, p. 360, AGA00020494).</p>
4.	“wherein one of the symbols appearing serially at least two times, without any intervening different symbol, on at least one of the reels, is part of at least one of the specific combinations providing a winning state for the player when the symbol appears on one of the straight lines”	<p>Plain and ordinary meaning.</p> <p><u>Intrinsic Evidence:</u></p> <p>[’047 patent at 3: 26-35] -</p> <p>In the display for game according to the invention, a game state is established to be advantageous to a player if the special kind of symbol is contained in a combination of symbols indicated on the display portion when movement of the symbols has been stopped. The player can relatively easily carry out the stop operation with good timing to indicate the symbol as a stop symbol and can realize an indication of combination of stop symbols advantageous to the player, for example, corresponding to “big hit,” “middle hit” or “small hit.”</p> <p>[’047 patent at 6: 5-14] -</p>	<p>Proposed Construction: When the reels are stopped, the display window must include a winning state (combination that is predefined to constitute a win) on one of the straight lines and that must include at least one of the identical symbols appearing serially without intervention, and all other combinations of symbols do not include a winning state.</p> <p><i>See support set forth in Row 3, supra.</i></p> <p>Extrinsic Evidence:</p> <p><i>See definitions for “intervening” set forth in Term No. 2 and “on” set forth in row 2.</i></p>

#	'047 Patent Term/Phrase	UEC Proposed Construction & Evidence	AGA Proposed Construction & Evidence
	<p>(claim 10)</p> <p>“wherein the specific combinations of the symbols providing a winning state include any one of the symbols of the plurality of symbols that appears identically along any of the straight lines of the display window without interruption by any other symbol”</p> <p>(claim 16)</p>	<p>In the front of a cabinet 2, which surrounds all of slot machine 1, a rectangular display window 3 is provided having width that is longer than its length. In this embodiment, display window 3 is arranged to be substantially. On display window 3 there are provided a plurality of winning lines 5, consisting of three horizontal lines and two diagonal lines. Additionally, there is shown to be provided a plurality of numerals, specifically 3, 2, 1, 2, 3 from top to bottom. These numerals are provided on the left and right (not specifically shown on the right-hand side) of display window 3.</p> <p>['047 patent at 6: 53-55] - FIGS. 3 to 6 show various states of indication in display window 3 of FIG. 2. In each of these figures, reference numerals 5A, 5B, 5C, 5D, and 5E represent the five winning lines.</p> <p>['047 patent at 6: 53– 7:4] - FIG. 3 represents a state of indication that exists when the player (not shown) has pushed first stop button 6L, illustratively in the case where the player intends to push the stop buttons in order of first stop button 6L, second stop button 6C, third stop button 6R. In this indication state, first reel 4L is stopped, and second reel 4C and third reel 4R are moving. In this example, “plum” symbol 102 is present in the upper section of first reel 4L, and the player therefore can recognize the possibility of hit based on a winning pattern 202 (FIG. 8) which constitutes a combination of three “plum” symbols 102. The player would recognize this possibility of a win because he or she would know that in second reel 4C, which the player intends to stop next, three “plum” symbols 102 are sequentially arranged, as mentioned above. Consequently, the player will endeavor to stop the "plum" symbol 102 at the preferred position.</p> <p>['047 patent at 7: 5-17] - If “plum” symbols 102 are positioned at the upper and middle sections of the display window when second reel 4C is stopped, as shown in FIG. 4, “plum” symbols 102 stand in two winning lines 5A, 5B, and consequently, winning</p>	

#	'047 Patent Term/Phrase	UEC Proposed Construction & Evidence	AGA Proposed Construction & Evidence
		<p>pattern 202 shown in FIG. 8 (award table) will be formed on one of winning lines 5A and 5B if a further “plum” symbol 102 can be positioned in the upper or lower section when third reel 4R is stopped. Accordingly, indication of symbols of FIG. 4 corresponds to the expectation of a possible hit condition on two winning lines (termed a “double TENPAI” in this embodiment). In this condition, the player will try to stop the movement of third reel 4R so that “plum” symbol 102 will stop and stand at the upper or lower section of reel 4R.</p> <p>['047 patent at 7: 40-55] - In the state of indication of FIG. 5, the operation of first stop button 6L followed by the operation of third stop button 6R, causes first reel 4L and third reel 4R to be shown as already stopped. With respect to first reel 4L, it is in the same condition as in the example of FIG. 4, wherein "plum" symbol 102 stands in the upper section. In this case, however, the above-mentioned three sequential “plum” symbols 102 stand in all sections of third reel 4R. Thus, two “plum” symbols 102 stand on each of winning lines 5A and 5B. Consequently, winning pattern 202 shown in FIG. 8 (award table) will be formed on winning line 5A or 5B if “plum” symbol 102 becomes positioned at the upper section or the middle section of reel 4C when the movement of second reel 4C is stopped. The indication of symbols of FIG. 5 leads to the expectation of a hit condition on two winning lines (termed a “double TENPAI”).</p> <p>['047 patent at 8: 7-17] – In this example, three sequential "bell" symbols 101 are shown to stand in the upper, middle and lower sections of first reel 4L in the display window, and “bell” symbol 101 stands in the middle section of second reel 4C. If “bell” symbol 101 becomes positioned in the upper, middle or lower section when third reel 4R is stopped, winning pattern 201 (FIG. 8 award table), which consists of a combination of three "bell" symbols 101 is formed on winning line 5A, 5C, or 5E, resulting in a “hit.” Accordingly, the symbol indication of FIG. 6 establishes that a hit is an expected condition on</p>	

#	'047 Patent Term/Phrase	UEC Proposed Construction & Evidence	AGA Proposed Construction & Evidence
		<p>three winning lines (termed a "triple TENPAI").</p> <p>['047 patent at 8: 64 - 9: 3] - FIG. 8 is a specific illustrative example of an award table showing a plurality of symbol combinations that form winning patterns. This figure also shows an example of a scheme of allotment number of medals that are associated with respective wins. In a preferred embodiment, this table is displayed on cabinet 2 of slot machine 1 at a position convenient for the player to see.</p> <p>[JP 9-340193, see #1, #2, #3, #4, #6, #7]</p> <p><u>See FH citations for Term #1.</u></p> <p><u>Extrinsic Evidence:</u></p> <p>N/A</p>	
5.	<p>"different in color on each reel"</p> <p>(claim 8)</p> <p>[wherein each of the symbols appearing serially on each of the reels at least two times without any intervening different symbol] are different in color on each reel</p>	<p>Plain and ordinary meaning.</p> <p>[wherein each of the symbols appearing serially on each of the reels at least two times without any intervening different symbol] have a color difference on the individual reels</p> <p><u>Intrinsic Evidence:</u></p> <p>['047 patent at 4: 8-12] - In the display for game according to this invention, the special kind of symbol is distinguished by a special appearance from the other symbols, for example, specified color, specified size, specified displacement from centerline or the like.</p> <p>['047 patent at 4: 20-23] - According to the display for game mentioned above, the special kinds of symbols are recognized by being distinct in specified colors from the other symbols even if these are moving.</p> <p>['047 patent at 4: 24-27] - When the special kinds of symbols are specified not only by color but also size smaller or larger than the other, position of displacement to left or right compared with the other symbols, easiness in recognition increases.</p>	<p>Proposed Construction: The symbols, as printed on the reel sheet, must be different colors. The symbol must be a different color on each reel (e.g., if there are 5 reels, such symbols will be in 5 different colors, one color on each reel.)</p> <p>Intrinsic Evidence: '047 Patent, Figure 2. "On display window 3 there are provided a plurality of winning lines 5, consisting of three horizontal lines and two diagonal lines." '047, 6:8-10.</p> <p>"Sankyo (Ugawa) does not explicitly teach the colors of his symbols. It would have been obvious to one having ordinary skill in the art at the time the invention was made to use whatever color desired since it would only depend on the intended use of the assembly and the desired information to be displayed." Examiner's Answer ('047 FH at AGA00000904 & AGA00000916)</p> <p>"Claim 24 describes the repeating symbols as being of different colors as described in the patent application at page 9, lines 11-14. (There are no color figures in the patent application.)" Appeal Brief ('047 FH at AGA00000928).</p> <p>"Here, the use of different colors of particular symbols on different reels has an interactive</p>

#	'047 Patent Term/Phrase	UEC Proposed Construction & Evidence	AGA Proposed Construction & Evidence
		<p data-bbox="492 260 946 562">['047 patent at 5: 59-64] - In this specific illustrative embodiment of the invention, each of the special symbols has an associated coloration. That is, "bell" symbol 101 is colored yellow, "plum" symbol 102 is colored blue, and "cherry" symbol 103 is colored red. The player can easily find each special symbol by detecting its associated color.</p> <p data-bbox="492 594 946 1297">[JP 9-340193 at [0019]] With the fifth aspect, even if a plurality of specific types of symbols will continuously appear in the moving direction, and if the specific types of symbols cannot easily be recognized due to mutual interference of the colors of the various symbols, but herein, and the specific types of symbols will be distinguished from other symbols by a specific color or the like, so the specific types of symbols can be recognized without interference from other symbols, during moving display. There is no restriction to having a specific color, and the size of this symbol can be a specific size that is smaller or larger than the other symbols, or the position of this symbol can similarly be to the left or right compared to the other symbols that are aligned with the center, and thus the specific types of symbols can be more easily recognized.</p> <p data-bbox="492 1329 946 1982">[JP 9-340193 at [0019]] With the fifth aspect, even if a plurality of specific types of symbols will continuously appear in the moving direction, and if the specific types of symbols cannot easily be recognized due to mutual interference of the colors of the various symbols, but herein, and the specific types of symbols will be distinguished from other symbols by a specific color or the like, so the specific types of symbols can be recognized without interference from other symbols, during moving display. There is no restriction to having a specific color, and the size of this symbol can be a specific size that is smaller or larger than the other symbols, or the position of this symbol can similarly be to the left or right compared to the other symbols that are aligned with the center, and thus the specific types of symbols can be more</p>	<p data-bbox="963 260 1459 352">effect with the other symbols on the same reel." Amendment/Response to OA ('047 FH at AGA00001078).</p> <p data-bbox="963 384 1187 415">Extrinsic Evidence:</p> <p data-bbox="963 447 1036 478">Color:</p> <p data-bbox="963 510 1459 751">"the quality of an object or substance with respect to light reflected by it, usu. determined visually by measurement of hue, saturation, and brightness of the reflected light; saturation or chroma." (The New Webster's Encyclopedic Dictionary of the English Language, 1997, p. 133, AGA00020493).</p> <p data-bbox="963 783 1459 961">Marshall Fey, Slot Machines: A Pictorial History of the First 100 Years (Douglas McDonald ed., 4th ed. 1994) at 169 (picturing the Groetchen 1936 High Stakes gaming machine with the same horse symbols in different colors)</p> <p data-bbox="963 993 1003 1024">On:</p> <p data-bbox="963 1056 1459 1203">"so as to be or remain supported by or suspended from; so as to be attached to or unified with." (The New Webster's Encyclopedic Dictionary of the English Language, 1997, p. 465, AGA00020496).</p>

#	'047 Patent Term/Phrase	UEC Proposed Construction & Evidence	AGA Proposed Construction & Evidence
		<p>easily recognized.</p> <p><u>See FH citations for Term #1.</u></p> <p><u>Extrinsic Evidence:</u></p> <p>N/A</p>	
6.	<p>“including a cabinet housing the reels and on which an award table showing the specific combinations of the symbols providing a winning state is displayed for viewing by the player” (claim 13)</p> <p>“a cabinet ... on which an award table showing the specific combinations of the symbols providing a winning state is displayed” (claim 13)</p>	<p>Plain and ordinary meaning.</p> <p>including a cabinet housing the reels and on the cabinet an award table showing the specific combinations of the symbols providing a winning state is displayed for viewing by the player</p> <p><u>Intrinsic Evidence:</u></p> <p>['047 patent at 4: 62-64] - FIG. 2 is a perspective representation showing a front view of a specific illustrative embodiment of a slot machine constructed in accordance with the principles of the invention;</p> <p>['047 patent at 5: 14-16] - FIG. 8 is a representation of an illustrative award table showing a plurality of winning patterns consisting of combinations of symbols.</p> <p>['047 patent at 5: 65 - 6:4] - FIG. 2 is perspective representation showing the outer appearance of a slot machine 1, as a specific illustrative embodiment of a gaming machine according to this invention. Slot machine 1 is a gaming machine played by using a coin, a medal or a token and the like as a game medium (not shown). Hereinafter, the game medium (not shown) will be referred to as “medal.”</p> <p>['047 patent at 8: 64 - 9: 3] - FIG. 8 is a specific illustrative example of an award table showing a plurality of symbol combinations that form winning patterns. This figure also shows an example of a scheme of allotment number of medals that are associated with respective wins. In a preferred embodiment, this table is displayed on cabinet 2 of slot machine 1 at a position convenient for the player to see.</p> <p>[JP 9-340193 at [0027]] - Three rotary reels 4L, 4C, 4R are laterally arranged inside the cabinet 2,</p>	<p>Proposed Construction: an award table showing the specific combinations of the symbols providing a winning state (combination that is predefined to constitute a win) printed on or attached to the cabinet.</p> <p>Intrinsic Evidence: “New claim 29 specifies that an award table, such as the award table of Figure 8, appears on a housing of the display where the award table can be consulted by the player. Therefore, the player knows the desired combinations to win a prize. Claim 29 is supported at page 14, lines 20-23 of the patent application.” Amendment/Response to OA ('047 FH at AGA00001074).</p> <p>“FIG. 8 is a specific illustrative example of an award table showing a plurality of symbol combinations that form winning patterns. This figure also shows an example of a scheme of allotment number of medals that are associated with respective wins. In a preferred embodiment, this table is displayed on cabinet 2 of slot machine 1 at a position convenient for the player to see.” '047, 8:64-9:3, Figure 8.</p> <p>“Claim 29 specifies that the game has a cabinet, as illustrated in Figure 2 of the patent application, on which an award table is displayed. Display of the award table on the cabinet is described at page 14 of the patent application in lines 22 and 23.” Appeal Brief ('047 FH at AGA00000928).</p> <p>Extrinsic Evidence:</p> <p><i>See</i>, definition for “on” set forth in term No. 2, <i>supra</i>.</p> <p>David G. Christensen, Slot Machines: A Pictorial Review 44 (1972) (picturing the 1933 Jennings “Little Duke” slot machine cabinet on which there is an award table). (AGA00018773.)</p> <p>Marshall Fey, Slot Machines: A Pictorial</p>

#	'047 Patent Term/Phrase	UEC Proposed Construction & Evidence	AGA Proposed Construction & Evidence
1		and reel sheets 100L, 100C, 100R on which the symbols illustrated in FIG. 1 are drawn are attached to the outer circumferential surface of each rotary reel, and the symbols are displayed successively in the display window 3 by rotation of the reels. A variable display device is configured by these rotary reels.	History of the First 100 Years 201 (Douglas McDonald ed., 4th ed. 1994) (picturing the 1969 Bally Continental gaming machine cabinet showing an award table). (AGA00018793.)
2		[JP 9-340193 at [0046]] -	
3		FIG. 8 is an example of a payout table showing conditions for symbol combinations that are winning as described above, and the numbers represent the number of medallions that are paid out. This table is displayed at an easily observed location on the cabinet 2 of the slot machine 1.	
4		<u>See FH citations for Term #1.</u>	
5		<u>Extrinsic Evidence:</u>	
6		[Merriam Webster Collegiate Dictionary (10th ed. 1997)]-	
7		Display (verb): "to put or spread before the view"	
8		Symbol: "An arbitrary or conventional sign used in writing or printing relating to a particular field to represent operations, quantities, elements, relations, or qualities"	
9		[The American Heritage Dictionary (4th ed. 2006)]-	
10		Display (verb): "To present or hold up for view"	
11		Symbol: "A printed or written sign used to represent an operation, element, quantity, quality, or relation"	
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4. Additional Terms in Dispute Concerning Patentable Weight

The parties also dispute the construction of the following terms/phrases as to whether the terms/phrases have patentable weight. The terms include:

'472 Patent

- "when the front door is opened, interference of the operation table with a structure adjacent

the cabinet and proximate the hinge is reduced” (claims 10-14, 17)

‘473 Patent

- “wherein the cutout portion allows the front door to be opened so as to minimize interference of the operation table with a structure adjacent the cabinet and proximate the hinge” (claim 10)

‘047 Patent

- “each reel sheet including a plurality of symbols sequentially arranged, for viewing by a player upon stopping of rotation of the corresponding reel, wherein each of the reel sheets includes one symbol appearing serially, at least two times, without any intervening different symbol, and each symbol of the plurality of symbols appears on each of the reel sheets” (claim 1)
- “alignments on at least one of the lines of any of specific combinations of the symbols provide a winning state for the player and all other combinations of the symbols on the straight lines do not provide a winning state for the player” (claim 1)
- “alignments on at least one of the three straight lines of any of the specific combinations of the symbols provide a winning state for the player and all other combinations of the symbols on the three straight lines do not provide a winning state for the player” (claim 2)
- “the symbols on each reel appearing at least two times without any intervening different symbol, appear three times on each reel serially, without any intervening different symbol” (claim 7)
- “each of the symbols appearing serially on each of the reels at least two times without any intervening different symbol are different in color on each reel” (claim 8)
- “one of the symbols appearing serially at least two times, without any intervening different symbol, on at least one of the reels, is part of at least one of the specific combinations providing a winning state for the player when the symbol appears on one of the straight lines” (claim 10)

- “on which an award table showing the specific combinations of the symbols providing a winning state is displayed for viewing by the player” (claim 13)
- “the at least two straight lines are parallel to the common axis” (claim 14)
- “the specific combinations of the symbols providing a winning state include any one of the symbols of the plurality of symbols that appears identically along any of the straight lines of the display window without interruption by any other symbol” (claim 16)

C. Significant Disputed Terms/Phrases

Because there are four patents in suit and over forty accused products, none of the claim construction positions, standing alone, are case dispositive.

The parties agree that the following terms are significant to the resolution of specific claims in the case:

- ‘472/’473: “recess”
- ‘473: “cutout”
- ‘013: “communicate”
- ‘047: “each symbol of the plurality of symbols appears on each of the reel sheets”
- ‘047: “alignments on at least one of the lines of any of specific combinations of the symbols provide a winning state for the player and all other combinations of the symbols on the straight lines do not provide a winning state for the player” (and variations thereof in dependent claims)

Construction of these claim terms can be, in some cases, dispositive of UEC’s claims of infringement against certain AGA accused games and/or cabinets, and in others dispositive as to a patent.

D. Length of Time for Claim Construction Hearing and Anticipated Briefing

The parties request that each side be given up to four hours at the Claim Construction hearing for a total of one day. This allotted time may include a technology tutorial for the Court. The parties anticipate in light of the asserted claims and identified terms across four patents, that briefing will

require 60 pages for UEC's opening brief, 60 pages for AGA's opposition brief. UEC contends that it requires 45 pages for its reply brief. AGA believes that the reply brief should be limited to no more than half of the pages allowed for the opening and responsive briefs, in line with the proportional limitation of LR 7-3(b).

As set forth in the Scheduling Order (ECF No. 80), AGA intends to file a summary judgment motion on issues related to claim construction concurrent with the Claim Construction Briefing. AGA believes that hearing this motion at the same time as claim construction would be both beneficial and efficient for the Court. AGA believes that argument on the summary judgment would take up to 90 minutes..

E. Witnesses

The parties do not currently propose calling any witnesses at the Claim Construction Hearing.

F. Claim Construction Charts

The charts below set forth the claim language of the asserted claims, with the disputed terms/phrases to be construed presented in bold, and the parties' proposed constructions presented alongside the relevant claim language.

1. '472 Patent Claims

'472 Patent Claims	Term/Phrase	UEC Proposed Construction	AGA Proposed Construction
1. A gaming machine, comprising: a cabinet having a front opening; a front door pivotably coupled to the cabinet via a hinge attached to a lateral side of the cabinet and at a front side	"asymmetrically configured"	Plain and ordinary meaning.	made up of exactly similar parts facing each other or around an axis
	"recess"	Plain and ordinary meaning.	"indentation formed by cutting out."

'472 Patent Claims	Term/Phrase	UEC Proposed Construction	AGA Proposed Construction
<p>thereof;</p> <p>and an input device to input an operation related to the gaming machine; wherein, the front door includes an operation table that maintains a fixed position relative to the front door, and projects forward from the front door,</p> <p>the operation table extends along a width of the front door and includes an asymmetrically configured front edge perimeter to thereby form an operation table side having a recess and an operation table side having a protrusion, and</p> <p>the operation table side having the recess is disposed toward the side of the front door including the hinge and the operation table side having the protrusion is disposed toward the side of the front door opposite the side of the front door including the hinge.</p>	<p>"protrusion"</p>	<p>Plain and ordinary meaning.</p>	<p>something that juts or sticks out beyond a surface.</p>
<p>2. The gaming machine according to claim 1, wherein the front edge perimeter corresponding to the operation table side having the recess is concaved toward the front door when compared with the front edge perimeter corresponding to the operation table side having the protrusion.</p>	<p>"recess"</p>	<p>Plain and ordinary meaning</p>	<p>"indentation formed by cutting out."</p>
	<p>"protrusion"</p>	<p>Plain and ordinary meaning</p>	<p>something that juts or sticks out beyond a surface.</p>
<p>3. The gaming machine according to claim 1, wherein the operation table has a longitudinal length that is substantially the same as the width of the front door.</p>	<p>"substantially"</p>	<p>Plain and ordinary meaning.</p>	<p>"in essence, in total effect, to all intents and purposes"</p>
<p>4. The gaming machine according to claim 1, wherein the operation table side having the recess has a depth extending from the front door that is less than a depth of the operation table side having the protrusion.</p>	<p>"recess"</p>	<p>Plain and ordinary meaning</p>	<p>"indentation formed by cutting out."</p>
	<p>"protrusion"</p>	<p>Plain and ordinary meaning</p>	<p>something that juts or sticks out beyond a surface.</p>
<p>5. The gaming machine according to claim 1, wherein the operation table side corresponding to the recess has a</p>	<p>"recess"</p>	<p>Plain and ordinary meaning</p>	<p>"indentation formed by cutting out."</p>

‘472 Patent Claims	Term/Phrase	UEC Proposed Construction	AGA Proposed Construction
longitudinal length that is less than a longitudinal length of the operation table side corresponding to the protrusion .	“protrusion”	Plain and ordinary meaning	something that juts or sticks out beyond a surface.
<p>6. A gaming machine, comprising:</p> <p>a cabinet having a front opening;</p> <p>a front door pivotably coupled to the cabinet via a hinge that is attached to a lateral side of the cabinet and at a front side thereof; and</p> <p>an input device including at least one of a bet button to input a bet and a start button to input a game start command;</p> <p>wherein, the front door includes an operation table that maintains a fixed position relative to the front door, and projects forward from the front door, the operation table extends along a width of the front door and includes an asymmetrically configured front edge perimeter to thereby form an operation table having a first recessed side portion disposed closer to the hinge and a second protruding side portion disposed away from the hinge; and, wherein the first recessed side portion of the operation table has a smaller depth, which extends from the front door and to the front edge perimeter, than the second protruding side portion when viewed from the front of the gaming machine.</p>	<p>“asymmetrically configured”</p> <p>“closer”</p>	<p>Plain and ordinary meaning.</p> <p>Plain and ordinary meaning.</p>	<p>Plain meaning, i.e., a front edge perimeter in which one side is not the mirror image of the other.</p> <p>plain meaning, i.e., “closer” is the comparative adjective form of “close,” such that something is closer to a point if it nearer to the point than a specified reference. “nearer than”</p>
7. The gaming machine according to claim 6, wherein the operation table has a longitudinal length that is substantially the same as the width of the front door.	“substantially”	Plain and ordinary meaning.	“in essence, in total effect, to all intents and purposes”
8. The gaming machine according to claim 6, wherein the front edge perimeter corresponding to the first recessed side portion is concaved toward the cabinet and the operation table has a longitudinal length that is substantially the same as the width of the front door.	“substantially”	Plain and ordinary meaning.	“in essence, in total effect, to all intents and purposes”

‘472 Patent Claims	Term/Phrase	UEC Proposed Construction	AGA Proposed Construction
9. The gaming machine according to claim 6, wherein the operation table side corresponding to the first recessed side portion has a longitudinal length that is less than a longitudinal length of the operation table side corresponding to the second protruding side portion.			
<p>10. A gaming machine, comprising:</p> <p>a cabinet having a front opening;</p> <p>a front door pivotably coupled to the cabinet via a hinge that is attached to a lateral side of the cabinet and at a front side thereof;</p> <p>a display device that is placed in the front face of the cabinet and displays information related to a game;</p> <p>an input device to input an operation related to the gaming machine;</p> <p>wherein the front door has an operation table that maintains a fixed position relative to the front door and projects forward from the front door,</p> <p>wherein the operation table extends along a width of the front door and includes an asymmetrically configured front edge perimeter to thereby form an operation table side having a recess and an operation table side having a protrusion, the operation table side having the recess is disposed proximate a lateral side of the cabinet including the hinge, the operation table side having the protrusion is disposed distal the lateral side of the cabinet including the hinge, the operation table side having the recess is disposed toward the front door relative to the operation table side having the protrusion, and</p> <p>when the front door is opened, interference of the operation table with a structure adjacent the cabinet and proximate the hinge is reduced.</p>	“when the front door is opened, interference of the operation table with a structure adjacent the cabinet and proximate the hinge is reduced”	Plain and ordinary meaning.	Not entitled to patentable weight.
	“adjacent”	Plain and ordinary meaning.	plain meaning, i.e., “near or next to.”
	“proximate”	Plain and ordinary meaning.	plain meaning, i.e., “very near.”
	“recess”	Plain and ordinary meaning	“indentation formed by cutting out.”
	“protrusion”	Plain and ordinary meaning	something that juts or sticks out beyond a surface.

‘472 Patent Claims	Term/Phrase	UEC Proposed Construction	AGA Proposed Construction
11. The gaming machine according to claim 10, wherein the operation table has a longitudinal length that is substantially the same as the width of the front door.	“substantially”	Plain and ordinary meaning.	“in essence, in total effect, to all intents and purposes”
12. The gaming machine according to claim 10, wherein the operation table side having the recess is concaved toward the cabinet and the operation table has a longitudinal length that is substantially the same as the width of the front door.	“substantially”	Plain and ordinary meaning.	“in essence, in total effect, to all intents and purposes”
	“recess”	Plain and ordinary meaning	“indentation formed by cutting out.”
13. The gaming machine according to claim 10, wherein the operation table side having the recess has a depth extending from the front door that is less than a depth of the operation table side having the protrusion .	“recess”	Plain and ordinary meaning	“indentation formed by cutting out.”
	“protrusion”	Plain and ordinary meaning	something that juts or sticks out beyond a surface.
14. The gaming machine according to claim 10, wherein the operation table side having the recess has a longitudinal length that is less than a longitudinal length of the operation table side having the protrusion .	“recess”	Plain and ordinary meaning	“indentation formed by cutting out.”
	“protrusion”	Plain and ordinary meaning	something that juts or sticks out beyond a surface.
15. The gaming machine according to claim 1, wherein the input device is disposed on the operation table.			
16. The gaming machine according to claim 6, wherein the input device is disposed on the operation table.			
17. The gaming machine according to claim 10, wherein the input device is disposed on the operation table.			
18. A gaming machine, comprising: a cabinet having a front opening; a front door pivotably coupled to the cabinet via a hinge attached to a lateral	“asymmetrically configured”	Plain and ordinary meaning.	Plain meaning, i.e., a front edge perimeter in which one side is not the mirror image of the other.

'472 Patent Claims	Term/Phrase	UEC Proposed Construction	AGA Proposed Construction
<p>side of the cabinet and at a front side thereof;</p> <p>an operation table projecting frontward from the front door; and</p> <p>an input device configured to input an operation related to the gaming machine; wherein,</p> <p>the operation table maintains a fixed position relative to the front door and extends along a width of the front door, the operation table includes an asymmetrically configured front edge perimeter that serves to define an operation table depth that extends forward from the front door and to the front edge perimeter of the operation table, the operation table depth varying as the operation table extends along the width of the front door; and wherein, the operation table depth on a side of the operation table closer to the hinge is less than the operation table depth on that side of the operation table that is opposite the hinge.</p>	"closer"	Plain and ordinary meaning.	plain meaning, i.e., "closer" is the comparative adjective form of "close," such that something is closer to a point if it nearer to the point than a specified reference. "nearer than"
19. The gaming machine according to claim 18, wherein the front edge perimeter corresponding to the operation table side closer to the hinge is concaved toward the front door when compared with the front edge perimeter corresponding to the operation table side opposite the hinge.	"closer"	Plain and ordinary meaning.	plain meaning, i.e., "closer" is the comparative adjective form of "close," such that something is closer to a point if it nearer to the point than a specified reference. "nearer than"
20. The gaming machine according to claim 18, wherein the operation table has substantially a same longitudinal length as the width of the front door.	"substantially"	Plain and ordinary meaning.	"in essence, in total effect, to all intents and purposes"
21. The gaming machine according to claim 18, wherein the input device is disposed on the operation table.			

2. '473 Patent Claims

'473 Patent Claims	Term/Phrase	UEC Proposed Construction	AGA Proposed Construction
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'473 Patent Claims	Term/Phrase	UEC Proposed Construction	AGA Proposed Construction
<p>1. A gaming machine, comprising:</p> <p>a cabinet having a front opening;</p> <p>a front door pivotably coupled to the cabinet via a hinge that is attached to a lateral end portion at a front face of the cabinet, the front door opening and closing the front opening;</p> <p>a display device that is placed in the front face of the cabinet and displays information related to a game; an input device for allowing a player to perform an operation related to the game; and</p> <p>a controller that performs processing related to execution of the game in response to an input to the input device,</p> <p>wherein the front door has an operation table that projects forward from the cabinet,</p> <p>wherein the input device is placed on the operation table,</p> <p>wherein a side portion located at a front end of the operation table closer to the hinge is provided with a cutout portion such that a contour of the operation table is asymmetrically configured,</p> <p>wherein the cutout portion is formed at a front and toward a periphery of the operation table, which operation table extends along the width direction of the front door,</p> <p>wherein the side portion of the operation table including the cutout portion has a smaller lateral width than the remaining portions of the operation table when viewed from the front of the gaming machine,</p> <p>wherein the operation table maintains a same position with respect to the front door regardless of whether the front door is opened or closed, and</p> <p>wherein in the operation table, which maintains a same position with respect to the front door, the cutout portion</p>	<p>"cutout"</p>	<p>Plain and ordinary meaning.</p>	<p>Plain meaning, <i>i.e.</i>, "a space where something has been cut out" and "a part that has been cut out."</p>
	<p>"formed"</p>	<p>Plain and ordinary meaning.</p>	<p>shaped by cutting out</p>
	<p>"closer"</p>	<p>Plain and ordinary meaning.</p>	<p>nearer than</p>
	<p>"asymmetrically configured"</p>	<p>Plain and ordinary meaning.</p>	<p>Plain meaning, <i>i.e.</i>, a front edge perimeter in which one side is not the mirror image of the other.</p>

'473 Patent Claims	Term/Phrase	UEC Proposed Construction	AGA Proposed Construction
maintains a same position with respect to the front door when the front door is closed.			
2. The gaming machine according to claim 1, wherein the cutout portion is concaved toward the cabinet.	"cutout"	Plain and ordinary meaning.	Plain meaning, <i>i.e.</i> , "a space where something has been cut out" and "a part that has been cut out."
3. The gaming machine according to claim 1, wherein the cutout portion is formed at a front and toward a periphery of the operation table, which operation table has substantially the same width as the front door.	"substantially"	Plain and ordinary meaning.	"in essence, in total effect, to all intents and purposes"
	"cutout"	Plain and ordinary meaning.	Plain meaning, <i>i.e.</i> , "a space where something has been cut out" and "a part that has been cut out."
	"formed"	Plain and ordinary meaning.	Shaped by cutting out
4. The gaming machine according to claim 1, wherein the cutout portion is formed so as to be concaved toward the cabinet, at a front and toward a periphery of the operation table, which operation table has substantially the same width as the front door.	"cutout"	Plain and ordinary meaning.	Plain meaning, <i>i.e.</i> , "a space where something has been cut out" and "a part that has been cut out."
	"formed"	Plain and ordinary meaning.	Shaped by cutting out
	"substantially"	Plain and ordinary meaning.	"in essence, in total effect, to all intents and purposes"

'473 Patent Claims	Term/Phrase	UEC Proposed Construction	AGA Proposed Construction
5. The gaming machine according to claim 1, wherein the cutout portion is formed at an end of the operation table distal to the front door.	"cutout"	Plain and ordinary meaning.	Plain meaning, <i>i.e.</i> , "a space where something has been cut out" and "a part that has been cut out."
	"formed"	Plain and ordinary meaning.	Shaped by cutting out
6. A gaming machine, comprising: a cabinet having a front opening; a front door pivotably coupled to the cabinet via a hinge that is attached to a lateral end portion at a front face of the cabinet, the front door opening and closing the front opening; a display device that is placed in the front face of the cabinet and displays information related to a game; a bet button for allowing an arbitrary amount of bets; a start button for allowing a game to start in response to betting through the bet button; an input device that has at least the bet button and the start button; a controller that performs processing related to execution of the game in response to an input to the input device, wherein the front door has an operation table that projects forward from the cabinet, wherein the input device is placed on the operation table, wherein a first side portion located at a	"cutout"	Plain and ordinary meaning.	Plain meaning, <i>i.e.</i> , "a space where something has been cut out" and "a part that has been cut out."
	"closer"	Plain and ordinary meaning.	nearer than
	"formed"	Plain and ordinary meaning.	Shaped by cutting out

‘473 Patent Claims	Term/Phrase	UEC Proposed Construction	AGA Proposed Construction
<p>front end of the operation table closer to the hinge is provided with a cutout such that a contour of the operation table is asymmetrically configured,</p> <p>wherein the cutout is formed at a front and toward a periphery of the operation table, which operation table extends along the width direction of the front door,</p> <p>wherein the first side portion provided with the cutout has a smaller width of the operation table than the other portions of the operation table when viewed from the front of the gaming machine,</p> <p>wherein a rest portion is provided at a second side portion opposite to the first side portion,</p> <p>wherein the start button is arranged so as to be on a closer side with respect to the rest portion on the operation table,</p> <p>wherein the operation table maintains a same position with respect to the front door regardless of whether the front door is opened or closed, and wherein in the operation table, which maintains a same position with respect to the front door, the cutout portion maintains a same position with respect to the front door when the front door is closed.</p>	“asymmetrically configured”	Plain and ordinary meaning.	Plain meaning, i.e., a front edge perimeter in which one side is not the mirror image of the other.
7. The gaming machine according to claim 6, wherein the cutout is formed at a front and toward a periphery of the operation table, which operation table has substantially the same width as the front door.	“cutout”	Plain and ordinary meaning.	Plain meaning, i.e., “a space where something has been cut out” and “a part that has been cut out.”
	“substantially”	Plain and ordinary meaning.	“in essence, in total effect, to all intents and purposes”
	“formed”	Plain and ordinary meaning.	Shaped by cutting out

473 Patent Claims	Term/Phrase	UEC Proposed Construction	AGA Proposed Construction
8. The gaming machine according to claim 6, wherein the cutout portion is formed so as to be concaved toward the cabinet, at a front and toward a periphery of the operation table, which operation table has substantially the same width as the front door.	“substantially”	Plain and ordinary meaning.	“in essence, in total effect, to all intents and purposes”
	“cutout”	Plain and ordinary meaning.	Plain meaning, <i>i.e.</i> , “a space where something has been cut out” and “a part that has been cut out.”
	“formed”	Plain and ordinary meaning.	Shaped by cutting out
9. The gaming machine according to claim 6, wherein the cutout portion is formed at an end of the operation table distal to the front door.	“cutout”	Plain and ordinary meaning.	Plain meaning, <i>i.e.</i> , “a space where something has been cut out” and “a part that has been cut out.”
	“formed”	Plain and ordinary meaning.	Shaped by cutting out
10. A gaming machine, comprising: a cabinet having a front opening; a front door pivotably coupled to the cabinet via a hinge that is attached to a lateral end portion at a front face of the cabinet, the front door opening and closing the front opening; a display device that is placed in the front face of the cabinet and displays information related to a game; an input device for allowing a player to perform an operation related to the game; and a controller that performs processing related to execution of the game in response to an input to the input device, wherein the front door has an	“cutout”	Plain and ordinary meaning.	Plain meaning, <i>i.e.</i> , “a space where something has been cut out” and “a part that has been cut out.”
	“formed”	Plain and ordinary meaning.	Shaped by cutting out
	“proximate”	Plain and ordinary meaning.	very near
	“minimize”	Plain and ordinary meaning.	reduce to the smallest possible amount, extent, or degree.”
	“adjacent”	Plain and ordinary meaning.	plain meaning, <i>i.e.</i> , “near or next to.”

‘473 Patent Claims	Term/Phrase	UEC Proposed Construction	AGA Proposed Construction
<p>operation table that projects forward from the cabinet,</p> <p>wherein the input device is placed on the operation table,</p> <p>wherein the operation table including an asymmetrically contoured front face comprises a cutout portion and a protruding portion,</p> <p>wherein the cutout portion is formed at a front and toward a periphery of the operation table, which operation table extends along the width direction of the front door,</p> <p>wherein the cutout portion is disposed proximate a lateral side of the cabinet including the hinge,</p> <p>wherein the protruding portion is disposed distal a lateral side of the cabinet including the hinge,</p> <p>wherein the cutout portion is disposed toward the cabinet relative to the protruding portion,</p> <p>wherein the cutout portion allows the front door to be opened so as to minimize interference of the operation table with a structure adjacent the cabinet and proximate the hinge,</p> <p>wherein the operation table maintains a same position with respect to the front door regardless of whether the front door is opened or closed, and</p> <p>wherein in the operation table, which maintains a same position with respect to the front door, the cutout portion maintains a same position with respect to the front door when the front door is closed.</p>	<p>“wherein the cutout portion allows the front door to be opened so as to minimize interference of the operation table with a structure adjacent the cabinet and proximate the hinge”</p>	<p>Plain and ordinary meaning.</p>	<p>Not entitled to patentable weight.</p>
<p>11. The gaming machine according to claim 10, wherein the cutout portion is formed at a front and toward a periphery of the operation table, which operation table has substantially the same width as the front door.</p>	<p>“substantially”</p>	<p>Plain and ordinary meaning.</p>	<p>“in essence, in total effect, to all intents and purposes”</p>
	<p>“cutout”</p>	<p>Plain and ordinary meaning.</p>	<p>Plain meaning, <i>i.e.</i>, “a space where something has been cut out” and “a part that has been cut out.”</p>

'473 Patent Claims	Term/Phrase	UEC Proposed Construction	AGA Proposed Construction
	"formed"	Plain and ordinary meaning.	Shaped by cutting out
12. The gaming machine according to claim 10, wherein the cutout portion is formed so as to be concaved toward the cabinet, at a front and toward a periphery of the operation table, which operation table has substantially the same width as the front door.	"cutout"	Plain and ordinary meaning.	Plain meaning, <i>i.e.</i> , "a space where something has been cut out" and "a part that has been cut out."
	"formed"	Plain and ordinary meaning.	Shaped by cutting out
	"substantially"	Plain and ordinary meaning.	"in essence, in total effect, to all intents and purposes"
13. The gaming machine according to claim 10, wherein the cutout portion is formed at an end of the operation table distal to the front door.	"cutout"	Plain and ordinary meaning.	Plain meaning, <i>i.e.</i> , "a space where something has been cut out" and "a part that has been cut out."
	"formed"	Plain and ordinary meaning.	Shaped by cutting out
14. A gaming machine, comprising: a cabinet having a front opening and a front door pivotably coupled to the cabinet via a hinge disposed on a lateral side thereof, the front door including an operation table that maintains a fixed position relative to the front door and projects forward from the front door; wherein, the operation table extends along a width of the front door and includes an asymmetrical front edge perimeter, which forms an operation table side corresponding to a recess and an operation table side corresponding to a projection ; and wherein, the operation table side corresponding to the recess is substantially disposed on that side of the front door including the hinge and the operation table side corresponding to the projection is substantially disposed on that side of the front door opposite the hinge.	"substantially"	Plain and ordinary meaning.	"in essence, in total effect, to all intents and purposes"
	"projection"	Plain and ordinary meaning	something that juts or sticks out beyond a surface.
	"recess"	Plain and ordinary meaning.	indentation formed by cutting out."
15. The gaming machine of claim 14, wherein the operation table extends from the front door in a direction that is substantially transverse with respect to the longitudinal axis of the front door.	"substantially"	Plain and ordinary meaning.	"in essence, in total effect, to all intents and purposes"

473 Patent Claims	Term/Phrase	UEC Proposed Construction	AGA Proposed Construction
16. The gaming machine of claim 14, wherein the operation table includes a substantially planar upper surface inclined with respect to the longitudinal axis of the front door.	“substantially”	Plain and ordinary meaning.	“in essence, in total effect, to all intents and purposes”
17. The gaming machine of claim 16, wherein the operation table includes an input device for performing a gaming machine operation.			
18. The gaming machine of claim 17, wherein the gaming machine comprises a wagering-type gaming machine including: a display device that displays game information; a controller that executes game operations in response to an input to the input device; and, a value-addition mechanism comprising at least one of a bill sensor and a ticker printer.			
19. The gaming machine of claim 14, wherein the operation table substantially extends along the entire width of the front door.	“substantially”	Plain and ordinary meaning.	“in essence, in total effect, to all intents and purposes”
20. The gaming machine of claim 14, wherein the operation table side corresponding to the recess has a length that is less than that of the operation table side corresponding to the projection .	“projection”	Plain and ordinary meaning	something that juts or sticks out beyond a surface.
	“recess”	Plain and ordinary meaning.	indentation formed by cutting out.”
21. The gaming machine of claim 14, wherein the operation table side corresponding to the recess has a depth from the front door that is less than that of the operation table side corresponding to the projection .	“projection”	Plain and ordinary meaning	something that juts or sticks out beyond a surface.
	“recess”	Plain and ordinary meaning.	indentation formed by cutting out.”
22. The gaming machine of claim 14, wherein the asymmetrical front edge corresponding to the operation table side corresponding to the recess includes a portion thereof that is concave relative to the front door and the asymmetrical front edge corresponding to the operation table side corresponding to the projection includes a portion thereof that is convex relative to the front door.	“projection”	Plain and ordinary meaning	something that juts or sticks out beyond a surface.
	“recess”	Plain and ordinary meaning.	indentation formed by cutting out.”

'473 Patent Claims	Term/Phrase	UEC Proposed Construction	AGA Proposed Construction
<p>23. A gaming machine enclosure comprising:</p> <p>a cabinet having a front opening and a front door pivotably coupled to the cabinet via a hinge disposed on a lateral side thereof, the front door including an operation table that extends forward from the front door and that maintains a fixed position relative to the front door, the operation table including a substantially planar upper surface that is inclined with respect to the longitudinal axis of the front door; wherein,</p> <p>the operation table extends along a width of the front door and includes an asymmetrical front edge perimeter, which forms an operation table side corresponding to a recess and an operation table side corresponding to a projection; and wherein,</p> <p>the operation table side corresponding to the recess is substantially disposed on that side of the operation table proximate the hinge, and the operation table side corresponding to the projection is substantially disposed on that side of the operation table opposite the hinge.</p>	"proximate"	Plain and ordinary meaning.	plain meaning, i.e., "very near."
	"substantially"	Plain and ordinary meaning.	"in essence, in total effect, to all intents and purposes"
	"projection"	Plain and ordinary meaning	something that juts or sticks out beyond a surface.
	"recess"	Plain and ordinary meaning.	indentation formed by cutting out."
24. The gaming machine enclosure of claim 23, wherein the operation table extends from the front door in a direction that is substantially transverse with respect to the longitudinal axis of the front door.	"substantially"	Plain and ordinary meaning.	"in essence, in total effect, to all intents and purposes"
25. The gaming machine enclosure of claim 23, wherein the operation table includes an input button for performing a gaming machine operation.			
26. The gaming machine enclosure of claim 23, wherein the operation table substantially extends along the entire width of the front door.	"substantially"	Plain and ordinary meaning.	"in essence, in total effect, to all intents and purposes"
27. The gaming machine enclosure of claim 23, wherein the operation table side corresponding to the recess has a length that is less than that of the operation table side corresponding to the projection .	"projection"	Plain and ordinary meaning	something that juts or sticks out beyond a surface.
	"recess"	Plain and ordinary meaning.	indentation formed by cutting out."

'473 Patent Claims	Term/Phrase	UEC Proposed Construction	AGA Proposed Construction
28. The gaming machine enclosure of claim 23, wherein the operation table side corresponding to the recess has a depth from the front door that is less than that of the operation table side corresponding to the projection .	"projection"	Plain and ordinary meaning	something that juts or sticks out beyond a surface.
	"recess"	Plain and ordinary meaning.	indentation formed by cutting out."
29. The gaming machine enclosure of claim 23, wherein the asymmetrical front edge corresponding to the operation table side corresponding to the recess includes a portion thereof that is concave relative to the front door, and the asymmetrical front edge corresponding to the operation table side corresponding to the projection includes a portion thereof that is convex relative to the front door.	"projection"	Plain and ordinary meaning	something that juts or sticks out beyond a surface.
	"recess"	Plain and ordinary meaning.	indentation formed by cutting out."

3. '013 Patent Claims

'013 Patent Claims	Term/Phrase	UEC Proposed Construction	AGA Proposed Construction
<p>1. A gaming machine, comprising:</p> <p>a first box having inner walls;</p> <p>a second box housed by the first box, the second box housing a control board that includes a central processing unit for controlling a game;</p> <p>a front member having side walls, the front member covering components required for executing the game placed at a front portion of the second box while the front portion of the second box is closed, and the front member defining a first space at the front portion of the second box;</p> <p>a communicating portion provided at the front portion of the second box, the communicating portion allowing a second space inside the second box to communicate with the first space;</p> <p>a plurality of cables extending from the front portion of the second box to the first space;</p> <p>a bonding portion for bonding the plurality of cables; and</p> <p>an exhausting portion provided in a side</p>	"communicate"	Plain and ordinary meaning.	Plain and ordinary meaning; exchange

'013 Patent Claims	Term/Phrase	UEC Proposed Construction	AGA Proposed Construction
<p>wall of the front member, the exhausting portion allowing air sent from the second space inside the second box to the first space to be discharged, wherein the front member is arranged to lie such that a first distance is smaller than a second distance, where the first distance starts at a first inner wall at an end portion of the first box to finish at a first side wall at an end portion of the front member, and the second distance starts at a second inner wall at the opposite end portion of the first box to finish at a second side wall at the opposite end portion of the front member;</p> <p>wherein the plurality of cables extend out of the first space via the exhausting portion; and</p> <p>wherein the bonding portion is arranged to lie closer to the exhausting portion between the exhausting portion and the front portion of the second box from which the plurality of cables start to extend.</p>			
<p>2. The gaming machine according to claim 1, further comprising:</p> <p>an extending portion that extends forward from a bottom of the second box; and</p> <p>a hinge provided a front end portion of the extending portion, the hinge pivotally supporting the front member.</p>			
<p>3. The gaming machine according to claim 1, further comprising a front door, wherein the front door is placed at a front of the first box and pivotally supported about an axis that extends along an end portion of the first box so as to be in open and closed positions.</p>			
<p>4. The gaming machine according to claim 1, further comprising:</p> <p>a pressing portion provided in the front member;</p> <p>a support portion facing the pressing portion while the front member is in a closed position; and</p>			

'013 Patent Claims	Term/Phrase	UEC Proposed Construction	AGA Proposed Construction
a biasing member that biases the support portion toward the pressing portion.			
5. The gaming machine according to claim 1, further comprising a first sensor that detects the transition of the front member from a closed position to an open position, wherein the first sensor outputs first information related to releasing of the closed position when the front member changes from a closed position to an open position.			
6. The gaming machine according to claim 5, further comprising a first memory that stores the first information sent from the first sensor.			
7. The gaming machine according to claim 6, further comprising a second memory that stores the first information sent from the first sensor.			
8. The gaming machine according to claim 5, further comprising a second sensor that detects the transition of the front member from a closed position to an open position, wherein the second sensor outputs second information related to releasing of the closed position when the front member changes from a closed position to an open position.			
9. The gaming machine according to claim 8, wherein the gaming machine is communicatively connected with a server, and the second information sent from the second sensor is transmitted to the server.			
10. The gaming machine according to claim 8, wherein the first box includes a mounting device to which the second sensor is attached so as to face a back portion of the second box, and a cutout that allows the mounting device to pass is provided in the back portion of the second box.			

'013 Patent Claims	Term/Phrase	UEC Proposed Construction	AGA Proposed Construction
<p>11. The gaming machine according to claim 1, further comprising:</p> <p>a rotational support portion rotatably provided at the front member, wherein</p> <p>the second box has a convex portion provided at a front portion thereof, the convex portion extending inside the second box,</p> <p>a first end portion of the rotational support portion has a first locking part that locks the convex portion, and</p> <p>the rotational support portion is switchable between a locked position and a released position, wherein</p> <p>when the rotational support portion is in a locked position, the rotational support portion allows the first locking part to lock the convex portion such that the front member is maintained in a closed position, and</p> <p>when the rotational support portion is in a released position, the rotational support portion allows the first locking part to release the convex portion such that the front member is openable.</p>			
<p>12. The gaming machine according to claim 11, wherein the first box has a flapping portion that extends from the first inner wall to the second inner wall and extends downward toward the front portion of the second box, a second end portion of the rotational support portion has a second locking part, and while the first locking part locks the convex portion, the second locking part locks the flapping portion such that the front member is maintained in a closed position.</p>	<p>“flapping portion”</p>	<p>Plain and ordinary meaning:</p> <p>[the first box has] a portion that extends between the inner walls of the cabinet, and also extends downward toward the front portion of the second box.</p>	<p>Plain and ordinary meaning:</p> <p>the portion of the shelf that extends downward toward the front portion of the second box.</p>
<p>13. The gaming machine according to claim 1, wherein the front member includes a locking device.</p>			

4. **'047 Patent Claims - Constructions**

'047 Patent Claims	Term/Phrase	UEC Proposed Construction	AGA Proposed Construction
<p>1. A display for a game comprising:</p> <p>a plurality of independently rotatable reels, rotatable about a common axis;</p> <p>a respective reel sheet attached peripherally to each of the reels, each reel sheet including a plurality of symbols sequentially arranged, for viewing by a player upon stopping of rotation of the corresponding reel, wherein</p> <p>each of the reel sheets includes one symbol appearing serially, at least two times, without any intervening different symbol, and each symbol of the plurality of symbols appears on each of the reel sheets; and</p> <p>a display window for viewing symbols on the reels along each of at least two straight lines when the reels are stopped, wherein alignments on at least one of the lines of any of specific combinations of the symbols provide a winning state for the player and all other combinations of the symbols on the straight lines do not provide a winning state for the player.</p>	<p>“wherein each of the reel sheets includes one symbol appearing serially, at least two times, without any intervening different symbol”</p>	<p>Plain and ordinary meaning.</p>	<p>two or more identical symbols appearing serially, without any intervening different symbols, on the reel sheet.</p>
	<p>“each symbol of the plurality of symbols appears on each of the reel sheets”</p>	<p>Plain and ordinary meaning.</p> <p>each symbol of the group of symbols appears on each of the reel sheets.</p>	<p>every symbol that appears on any reel sheet appears on every one of the reel sheets.</p>
	<p>“a display window . . . wherein alignments on at least one of the lines of any of specific combinations of the symbols provide a winning state for the player and all other combinations of the symbols on the straight lines do not provide a winning state for the player”</p>	<p>Plain and ordinary meaning.</p>	<p>When the reels are stopped, the display window must include a winning state (combination that is predefined to constitute a win) on one of the straight lines, and all other combinations of symbols do not include a winning state.</p>

‘047 Patent Claims	Term/Phrase	UEC Proposed Construction	AGA Proposed Construction
<p>2. The display for a game according to claim 1 wherein the display window provides for viewing of the symbols, when the reels are stopped, along three straight lines, and alignments on at least one of the three straight lines of any of the specific combinations of the symbols provide a winning state for the player and all other combinations of the symbols on the three straight lines do not provide a winning state for the player.</p>	<p>“a display window . . . wherein alignments on at least one of the three straight lines of any of the specific combinations of the symbols provide a winning state for the player and all other combinations of the symbols on the three straight lines do not provide a winning state for the player”</p>	<p>Plain and ordinary meaning.</p>	<p>When the reels are stopped, the display window must include a winning state (combination that is predefined to constitute a win) on one of the straight lines, and all other combinations of symbols do not include a winning state.</p>
<p>3. The display for a game according to claim 2 wherein the display includes three reels.</p>			
<p>4. The display for a game according to claim 3 wherein any of the specific combinations of three of the symbols aligned on diagonal lines, oblique to the common axis, a winning state for the player and all other combinations of the symbols on the diagonal lines do not provide a winning state for the player.</p>			
<p>8. The display for a game according to claim 1 wherein each of the symbols appearing serially on each of the reels at least two times without any intervening different symbol are different in color on each reel.</p>	<p>“different in color on each reel”</p>	<p>[wherein each of the symbols appearing serially on each of the reels at least two times without any intervening different symbol] have a color difference on the individual reels</p>	<p>The symbols, as printed on the reel sheet, must be different colors. The symbol must be a different color on each reel (e.g., if there are 5 reels, such symbols will be in 5 different colors, one color on each reel.)</p>
<p>10. The display for a game according to claim 1 wherein one of the symbols appearing serially at</p>			

'047 Patent Claims	Term/Phrase	UEC Proposed Construction	AGA Proposed Construction
<p>least two times, without any intervening different symbol, on at least one of the reels, is part of at least one of the specific combinations providing a winning state for the player when the symbol appears on one of the straight lines.</p>	<p>“wherein one of the symbols appearing serially at least two times, without any intervening different symbol, on at least one of the reels, is part of at least one of the specific combinations providing a winning state for the player when the symbol appears on one of the straight lines”</p>	<p>Plain and ordinary meaning.</p>	<p>When the reels are stopped, the display window must include a winning state (combination that is predefined to constitute a win) on one of the straight lines and that must include at least one of the identical symbols appearing serially without intervention, and all other combinations of symbols do not include a winning state.</p>
<p>13. The display for a game according to claim 1 further including a cabinet housing the reels and on which an award table showing the specific combinations of the symbols providing a winning state is displayed for viewing by the player.</p>	<p>“including a cabinet housing the reels and on which an award table showing the specific combinations of the symbols providing a winning state is displayed for viewing by the player”</p>	<p>Plain and ordinary meaning:</p> <p>including a cabinet housing the reels and on the cabinet an award table showing the specific combinations of the symbols providing a winning state is displayed for viewing by the player.</p>	<p>an award table showing the specific combinations of the symbols providing a winning state (combination that is predefined to constitute a win) printed on or attached to the cabinet.</p>
<p>14. The display for a game according to claim 1 wherein the at least two straight lines are parallel to the common axis.</p>			

'047 Patent Claims	Term/Phrase	UEC Proposed Construction	AGA Proposed Construction
15. The display for a game according to claim 1 wherein the at least two straight lines are oblique to the common axis.			
16. The display for a game according to claim 1 wherein the specific combinations of the symbols providing a winning state include any one of the symbols of the plurality of symbols that appears identically along any of the straight lines of the display window without interruption by any other symbol.	“wherein the specific combinations of the symbols providing a winning state include any one of the symbols of the plurality of symbols that appears identically along any of the straight lines of the display window without interruption by any other symbol”	Plain and ordinary meaning.	When the reels are stopped, the display window must include a winning state (combination that is predefined to constitute a win) on one of the straight lines and that must include at least one of the identical symbols appearing serially without intervention, and all other combinations of symbols do not include a winning state.

<u>'047 Patent Claims – “Printed Matter”</u> '047 Asserted Claims	UEC Proposed Construction	AGA Proposed Construction
1. A display for a game comprising: a plurality of independently rotatable reels, rotatable about a common axis;		
a respective reel sheet attached peripherally to each of the reels, <i>each reel sheet including a plurality of symbols sequentially arranged, for viewing by a player upon stopping of rotation of the corresponding reel, wherein each of the reel sheets includes one symbol appearing serially, at least two times, without any intervening different symbol, and each symbol of the plurality of symbols appears on each of the reel sheets</i> ; and	Plain and ordinary meaning.	The italicized term is not entitled to patentable weight, as it is printed matter.
a display window for viewing symbols on the reels along each of at least two straight lines when the reels are stopped, wherein <i>alignments on at least one of the lines of any of specific combinations of the symbols provide a winning state for the player and all other combinations of the symbols on the straight lines do not provide a winning state for the player.</i>	Plain and ordinary meaning.	The italicized term is not entitled to patentable weight, as it is printed matter.

<u>‘047 Patent Claims – “Printed Matter”</u>’047 Asserted Claims	UEC Proposed Construction	AGA Proposed Construction
2. The display for a game according to claim 1 wherein the display window provides for viewing of the symbols, when the reels are stopped, along three straight lines, and <i>alignments on at least one of the three straight lines of any of the specific combinations of the symbols provide a winning state for the player and all other combinations of the symbols on the three straight lines do not provide a winning state for the player.</i>	Plain and ordinary meaning.	The italicized term is not entitled to patentable weight, as it is printed matter.
3. The display for a game according to claim 2 wherein the display includes three reels.	Plain and ordinary meaning.	The italicized term is not entitled to patentable weight, as it is printed matter.
7. The display for a game according to claim 1 wherein <i>the symbols on each reel appearing at least two times without any intervening different symbol, appear three times on each reel serially, without any intervening different symbol.</i>	Plain and ordinary meaning.	The italicized term is not entitled to patentable weight, as it is printed matter.
8. The display for a game according to claim 1 wherein <i>each of the symbols appearing serially on each of the reels at least two times without any intervening different symbol are different in color on each reel.</i>	Plain and ordinary meaning.	The italicized term is not entitled to patentable weight, as it is printed matter.
10. The display for a game according to claim 1 wherein <i>one of the symbols appearing serially at least two times, without any intervening different symbol, on at least one of the reels, is part of at least one of the specific combinations providing a winning state for the player when the symbol appears on one of the straight lines.</i>	Plain and ordinary meaning.	The italicized term is not entitled to patentable weight, as it is printed matter.
13. The display for a game according to claim 1 further including a cabinet housing the reels <i>and on which an award table showing the specific combinations of the symbols providing a winning state is displayed for viewing by the player.</i>	Plain and ordinary meaning.	The italicized term is not entitled to patentable weight, as it is printed matter.
14. The display for a game according to claim 1 wherein <i>the at least two straight lines are parallel to the common axis.</i>	Plain and ordinary meaning.	The italicized term is not entitled to patentable weight, as it is printed matter.
16. The display for a game according to claim 1 wherein <i>the specific combinations of the symbols providing a winning state include any one of the symbols of the plurality of symbols that appears identically along any of the straight lines of the display window without interruption by any other symbol.</i>	Plain and ordinary meaning.	The italicized term is not entitled to patentable weight, as it is printed matter.

1 RESPECTFULLY SUBMITTED this 19th day of April, 2019.

2
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CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the foregoing **JOINT CLAIM CONSTRUCTION AND PREHEARING STATEMENT UNDER LOCAL PATENT RULE 1-15** was electronically served on counsel of record this 19th day of April, 2019, using the Court's CM/ECF System.

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